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GRAVE OBSTACLES TO HAWAIIAN ANNEXATION.

A SHORT time ago the country was excited by the announcement that the royal government in the Hawaiian Islands had been overthrown by a revolution; that a provisional government had been set up; that that government had at once been acknowledged by the American Minister, who would appear to have given it important moral support by causing marines to be landed from an American war-ship on an assumption that they were needed for protecting the lives and property of American citizens, and that the provisional government had appointed a commission to proceed at once to Washington and tender the annexation of the islands to the United States. The information was startling for several reasons.

A peaceful state of things had existed for a long time in the Hawaiian Islands. The people there indeed were peaceful in their characteristics. They were a people that in a measure had been trained by ourselves. Some of our citizens had taken satisfaction in calling the attention of the world to the condition of these islands as a gratifying illustration of the great success and usefulness of the missionary efforts put forth from the United States for the conversion of the world. American missionaries had been pioneers in the work that had in a very short time converted the whole of the barbarous race of cannibals who were found native on these islands to the Christian faith, and brought them from savagery to the taking up of peaceful occupations and the cultivation of the arts and, to a large extent, the adoption of the customs of civilized life. It was the most striking illustration perhaps in

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the history of the world, of a people being brought almost immediately out of savagery by the teaching of the doctrines of Christ, and elevated to a condition in which it would be proper to recognize them as a member of the family of civilized nations. Friendly relations were shortly established with them by leading commercial countries; they welcomed immigration especially from the United States, and many enterprising people settled among them and found opportunities in the cultivation of their lands, in the raising of tropical fruits, and especially in the production of sugar, for the acquisition of great wealth. People came from other countries also,—from China and Japan large numbers who have settled there with the expectation of making it their permanent home. The government of the country has been monarchical but seems to have been satisfactory to the natives, who had been given some participation in it, and it was the proposed withdrawal by the reigning monarch of popular participation in the government that was supposed to have furnished ground for the revolution which the provisional government professed to have completely effected.

The first thing specially noticeable in this offer of the islands to our country is the fact that no attempt whatever seems to have been made to ascertain the wishes of the native population upon the subject, or of any one else, except those who participated in the revolution. It is what those composing it designate a provisional government that comes to make us the offer.

A provisional government is supposed to be a government *de facto* for the time being; a government that in some emergency is set up to preserve order; to continue the relations of the people it acts for with foreign nations until there shall be time and opportunity for the creation of a permanent government. It is not in general supposed to have authority beyond that of a mere temporary nature resulting from some great necessity, and its authority is limited to the necessity. When therefore a commission starts out immediately upon the creation of a Provisional Government, to offer its country as a gift to a foreign nation, the very title of the government seems to negative its authority. It is offering to give away what it merely for the time being is authorized to preserve and protect, and the first feeling is that there must be something here to put the nation to which the offer is made upon its guard against having such dealings with the commission as shall be of a nature to imply recognition of its legitimacy.

But in this case it is said that the Provisional Government was formed only for the purpose of bringing about the annexation; that annexation is its mission; to that its power we are to understand is limited. How it got authority for this purpose and how the limitation was fixed to that authority are not explained. The desire of the people in the premises was not expressed, nor was it called for. The facts as they are presented to us appear to be, that persons of foreign birth resident in the islands took possession of the government, and immediately started to make a tender of the islands to a foreign nation. Their acts in organizing themselves into a Provisional Government would indicate to the natives, until they were explained by further acts or by public announcements, nothing more than that they were resisting and overturning the native government because of its retrogressive course, and the legitimate and natural inference would be that their powers would be laid aside when a permanent government on the proper basis should be organized by general action of the people.

The Provisional Government avers with some positiveness that its action in offering to transfer the islands to the United States is in conformity to the will of the majority of the people; but if such is the fact it seems a great error in policy that it took no steps to ascertain that will so that the grounds for its confidence might be made known to the American people. The great haste in making the offer suggests a doubt whether the confidence in the claim is as complete as is professed. The United States Minister either voluntarily or at the suggestion of the Provisional Government, but without the slightest authority, declared a protectorate of the islands by the United States, but what it was intended to protect them against unless it was the people themselves whom the Provisional Government assumed to represent, is not apparent. No foreign nation was interfering or was showing any desire to interfere. President Harrison immediately disowned the protectorate when it became known, but the Minister, still without authority, floated the national flag of the United States above the government building at Honolulu, and the Provisional Government thereby still continued to have the moral support which had assisted in its establishment at first. When the removal of the flag was ordered, it seemed to be necessary for the Provisional Government to make careful provisions for putting down by force any expression of opposition to its action on the part of those who did not favor it.

This distant country, then, seems to be offered to the United States by what is at most a *pro tempore* government, which, in making the offer, does not present the evidences that prove it to have the support of the majority of the people. The number supporting the offer may or may not be a majority; we do not know. The foreigners settled in the islands with the privileges of citizenship are few in number as compared with the native population, who were not consulted, but it is foreigners who effected the revolution; and even they, as we now learn, are not unanimous in desiring the transfer.

A strong effort was made to accomplish the annexation before the people of the islands could even be heard upon the subject, and it seemed to have been taken for granted by a large portion of our people that there was something unpatriotic in raising any question of propriety or justice in declaring the immediate annexation which the commission offered; as if patriotism could justify a public wrong to a friendly people.

The islands were very rich, it was said. We wanted them for a naval station. We needed them in the event of a war with Great Britain or with any other of the great naval powers of the world; if we did not take them Great Britain would, to our immense disadvantage, and so on. The commissioners were ready to assent to any terms that should be demanded, and there was importance in immediate action before there could be opportunity for thwarting the proposed measure in the interests of some foreign nation. It was a case for the application of the maxim, "In time of peace prepare for war," for it was precisely in the event of war that these islands were to be of special value to us.

Now how far the United States should be moved by an appeal to this maxim, "In time of peace prepare for war," is a question to which patriots as well as philanthropists are likely hereafter to give some attention. It is a maxim that comes to us from barbarous times, and at the present time is being made use of in such manner as to grind the people of leading states of Europe into the dust. Immense armies and immense navies are created as the necessary preparation for war, and maintained at enormous expense at all times, in order that they may be ready for immediate use in case of hostilities springing up with some foreign nation. Their very existence is a menace to the peace of the world; the more powerful are the armies and navies of leading nations, the greater the liability to destructive conflicts. The United States is now sufficiently strong

to expect that its rights will be regarded and its interests respected by other nations without this crushing expenditure for possible wars, and its people may well question whether the true rendering of the maxim is not, "In time of peace prepare against war," and whether this does not demand the establishing of such relations with foreign countries and making such provision for the settlement of disputes peacefully as will reduce the danger of war to a minimum. And then in the case of these islands they may well inquire further whether, situated as they are, two thousand miles away, they will not in our hands constitute an element of weakness rather than of strength in case of a war with Great Britain, or any other great naval power, unless we proceed at once to create a navy as great as that which could at the beginning of a war be hurled by our antagonist against them.

Questions like these are raised. But they are questions of policy, and as such will be left for others to discuss. What we are concerned with now are the questions whether the Provisional Government is shown to possess delegated power to propose and whether the United States has constitutional power to accept the annexation of these islands. We speak of it all the while as the annexation of the islands to the United States; the addition of a smaller to a greater, as it in fact would be; but the question of power involved is precisely the same that it would be if it were proposed to annex any other independent country in the world to the United States; Russia, for instance, or France.

The government of Hawaii is that of an independent country, recognized as a member of the family of nations, and, in point of international law, the equal of any other nation. If we annex it, it will be because an independent nation consents to be annexed. It may be on terms that will assume the existence of a certain inferiority, but these will be created by the treaty of annexation itself. The treaty will be the law that will govern thereafter. Apparently it is expected that these islands will be taken in as an outlying colony of the United States,—not as a territory of the sort we now possess and govern,—and not, so far as we are notified, with any expectation that they are to be by and by accepted as one of the states of the American Union. Government as a colony is what it is said those proposing the annexation would prefer.

Now outlying colonies are not within the contemplation of the Constitution of the United States at all. The structure of govern-

ment created under it never had in view such colonies, and the people of the United States would never have consented to provide for our holding them. Our government is not suited to that purpose. The proposal that we should vie with England and France and Germany in establishing colonies in distant quarters of the globe would now be scouted at once by the people and by Congress as being altogether foreign to our institutions. We are asked to accept this proposed transfer as something possessing peculiar attractions; as having a special value to our country; but when we take it we must understand that we establish a precedent, the leading of which it will be impossible to foresee. What we can see clearly is that it will be a precedent to justify the acquiring of outside colonies hereafter in any part of the world. We must further understand that if what is proposed can be done under the treaty-making power, then peculiar provisions can be inserted in treaties of annexation, the nature of which and the extent to which they will modify our existing institutions, will depend upon the prudence and wisdom of those who act for us in making the treaties. In the case of annexation of independent countries, the differences between them are likely to require assent to terms that, to some extent at least, will be in the nature of compromise. Each country must yield something; and any yielding is likely to have some bearing on established institutions,—a bearing perhaps seeming to be immaterial at the time, but which nevertheless may stand as justification for something more important at some other time.

In the proposed treaty in this instance, it is understood, was a special provision in regard to the large Chinese colony, which was to preclude its members passing from the islands into other parts of the United States. Assuming this provision to be valid and effectual, would not the treaty, as to any persons of Chinese descent who are born in the islands and who might therefore be citizens, be laying down a rule repugnant to the provision of the constitution which undertakes to make the rights of citizens the same everywhere? And if so would the treaty be nevertheless valid even in this particular?

Should an offer by and by be made of the annexation of Spain to the United States by some provisional government set up there for the sole and only purpose of such annexation, perhaps we might be required to assent by way of compromise to some provision which would save to the Spaniards some of their existing institutions re-

pugnant to our own as a condition to the union, and the treaty being the supreme law of the land, our country would be expected to observe that condition permanently. This may seem an absurd suggestion, but when we enter upon the business of annexation, we have no right to expect that independent nations are to come and offer themselves to us with the free abandonment at the same time of all the special peculiarities in their institutions, some of them perhaps the inheritance of ages.

This proposed treaty is not only one that will constitute a precedent for uniting ourselves to any country on the globe, but it is one that will justify our annexing other countries regardless of the differences of race and of the discordant elements that might be brought into the Union by the act. The people to be brought in in this case are for the most part people of colored races with habits and ideas very different from our own, and a very considerable portion of them belong to a race which we are endeavoring at this time, with but little regard to justice or to treaty obligations, to exclude as far as possible from our country. The commissioners who come here understand very well our repugnance to have them among us, and it is for this reason that they are ready to make a special provision for confining them to the islands, though the very act of doing so will raise a serious question of constitutional right.

It is perfectly manifest that unless we are to treat the American and English settlers upon the islands as persons entitled to establish for themselves institutions at will, regardless of the wishes of the remainder of the people, we cannot for a moment sanction what is proposed; but if we make the recognition and give effect to their will by receiving the proposed gift, we are bringing incongruous elements into a Union never framed to receive them, and we are justifying an extension of the constitution formed for the government of a Union of harmonious and contiguous states of the North American continent, so as to bring under its rule as a part of that Union countries inhabited by races radically different in physical and also in mental characteristics to those by and for whom the Union was established, in whatever quarter of the globe we may find them. The President and the Senate may pass upon the question of such extension finally and bind the country for all time, though the motives to this action may be of a temporary nature, and possibly even partisan.

It is no light thing to propose an action of the government which can stand as a precedent for such an application of the treaty-making

power, and to undertake its justification under the Constitution on the ground that it antagonizes no express provision of that instrument. The Constitution was made for the government of the United States of America, and not of countries in different parts of the world. It was not made and shaped for the establishment of any colonial system. It was expected by its founders that there would be extension of the United States; that territory would be held by them which would require government under the authority of Congress, but only while in that condition of immaturity which would naturally precede a state of fitness for admission with complete powers into the family of states then composing the Union; and that family of states was expected always to be one American country, held by one people, with institutions harmonious throughout, and as free as possible from all alliances with nations abroad except such as should be in the nature of friendly intercourse between independent countries.

The authority to enter into treaties with foreign nations is conferred by the Constitution of the United States in a very few and entirely general words. There is little more than a specification of those who are to exercise it: "The President with the advice and consent of the Senate, two-thirds of whom must concur"; and then there is in another clause a provision that "this constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land."

It is to be observed here that no limitations whatever are made in terms to the treaty-making power. In the nature of things it would scarcely be expected that any should be expressed, because this power is one the exercise of which may be called for under any imaginable circumstances, and it is always conceivable that a nation may be forced by external compulsion to assent by means of it to what it has found impossible to resist. We have reason to believe that the time has now gone by, so far as our country is concerned, when it will be possible for overwhelming force to compel submission by the United States to foreign dictation; but however that may be, it is sufficient for our present purposes to say that the power is to be construed precisely as if no such possibility existed; and if the emergency ever occurs that shall force upon the nation submission to anything not contemplated in the ordinary exercise of the treaty-making power, the case will then be determined by the necessity.

In considering the extent of the power, we may assume as unquestionable that it exists in the United States as fully and completely as it exists in any other independent nation. No portion of it is retained by the States, and it is not contemplated that they shall severally deal with foreign countries in diplomatic intercourse. But though no limitations are laid upon the power in the national constitution, some exist in the very nature of things which the treaty-making power must be expected under all circumstances to respect and observe. We say this having in mind only what we suppose to be a general rule applicable whenever the extent of the treaty-making authority of any country comes in question; all the conditions under which it has come into existence are to be considered; the racial and other peculiarities of the people; what the country is and its situation, the nature of established institutions, and so on, for all these are in mind when the authority is created, and in some sense are of its substance whatever may be the words under which it is expressed.

The constitution of a mountain republic and that of a seafaring people might possibly be expressed in the same words, and yet the statesman and the jurist see plainly in one not only implied grants of power but implied limitations upon the exercise of delegated authority not discoverable in the other, because so naturally springing from the conditions under which the instruments respectively were established that written expression was never thought of. Then the treaty-making power, whatever be the nature of the government, if to be exercised by any subordinate of the sovereign and not by the sovereign directly, must not set aside or disregard any authoritative expression of the sovereign will, and it must not do acts or enter into negotiations that tend to undermine or overturn any existing institution of the country or to change in any particular the established government. This is only repeating in a different form of words that it must not disregard the will of the sovereign power however expressed. And applying this specially to our own country, the treaty-making power must do nothing inconsistent with any provision of the constitution whether as it concerns the general form of government, the perpetuity of the Union, or the protection of the rights either of states or of individuals. It would be very clear, we suppose, that by no exercise of the treaty-making power could the President and Senate deprive one state of its equal representation with others in the senate, or its citizens of their equal privileges with citizens of other states, or take away the constitutional right of trial by jury from any

class of the people, or put in force what would be equivalent to *ex post facto* legislation, or establish privileged classes either in existing states or in any new territory that should be brought within the Union.

When a treaty is said to be the supreme law, it is nevertheless to be understood that the Constitution, which is the highest expression of sovereign will and the authoritative representative of sovereign power in the nation, in fixing limitations upon the exercise of authority under it in regard to the subjects above indicated and many others, restrains the treaty-making power quite as much as any other. If it did not, and any treaty entered into in due form was in itself necessarily supreme law, a state might possibly by the force of it be set off from the Union to another nation, or the government might gradually and imperceptibly be overturned through a line of precedents constituting what at the time were perhaps not seen to be encroachments. But as already said we are to take into account also the country for which the Constitution was formed, in its physical and other characteristics: a country made up of states lying contiguously, populated almost exclusively by one European race, and possessing certain territory, also contiguous, and held as a national domain, in respect to which the Congress which the Constitution provided for was to have power to dispose of and make all needful rules and regulations. The meaning of this term had already been indicated by common action to be that the Congress might from time to time provide government for such portions of the territory as seemed to have a population requiring it, which government should at length give place to state government created by the people themselves, under which they were to be admitted into the Union as members of the common family and on an equal footing with the others.

There is no indication in the Constitution itself or in any of the actions or discussions which led up to its formation, that the people of the day contemplated any other condition of things than a Union composed of contiguous states made up of people mainly of one race, with territory held in common by them to be governed under Congressional authority while on its way through increasing population to the formation of other such states, and to admission to the Union on an equal footing with the original states when the proper maturity had been reached. This was the general plan of the Union, and all the terms of the Constitution, when applied to it, are fully satisfied. Anything proposed under the treaty-making power that if carried

into effect would change this condition of things; and especially anything that would make of the nation the ruler of outlying states or colonies or territory not acquired with any expectation of being brought into the Union or not capable of becoming harmonious members of a family of contiguous states constituting together one common country, would seem to be as much by implication forbidden as would be anything that directly antagonized provisions of the Constitution itself.

It may be well here to direct attention briefly to the cases in which the treaty-making power has heretofore been exercised in the extension of the national limits, that it may be seen whether any one of them antagonizes the general ideas above expressed, and whether we are confronted with precedents that can be looked upon as giving countenance to the idea that the treaty-making power is subject to no limitations whatever. It is particularly for their bearing as precedents that we give them importance in this connection, for a bad precedent is always an excuse for another when popular clamor appears to demand it or when party may seem to have anything to gain by it.

The acquisition of Louisiana was made memorable in a constitutional point of view by the fact that the President who managed the negotiation and brought it to a successful conclusion did not believe that any power existed under the Constitution for making the purchase. Mr. Jefferson saw very clearly the vast importance of what he undertook to do. It would add to the United States a great extent of territory which was already becoming important in order to provide for the emigration going on from the existing states into the interior. It would rid us of an undesirable neighbor at the West. It would give us the Mississippi as a highway for the commerce of the interior with the outer world. It would secure its outlet as the *entrepôt* of the trade of the world with our Western people; and it would relieve us forever from the danger that by and by the inhabitants of the western territories would sever their connection with the Union and unite in forming a great republic upon the rivers which would constitute their chief international highways.

This was the prize to be attained; but the Constitution, in his view, had made "no provision for our holding foreign territory and still less for incorporating foreign nations into our union." Under the circumstances he thought the emergency should be met by first making the purchase and then appealing to the nation "for an additional

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article in the Constitution, approving and confirming an act which the nation had not previously authorized." He would have had this done as quietly as possible, avoiding public discussion, but "shutting up the Constitution for some time" until the purchase was made. The Federal politicians of the day took what advantage they might of his scruples and made all the opposition they could; but statesmen like Hamilton and Gouverneur Morris refused to make this a mere partisan question, and while they made light of Mr. Jefferson's scruples, did all they could to favor the purchase. That it was an act of the highest wisdom, no one at this day has the slightest doubt, and we think we may fairly assume that Mr. Jefferson, after it had once been accomplished, felt but lightly the scruples he had felt at the outset, for when he found that his party did not share in them, he ceased to insist upon the necessity for amendment to the Constitution.

Every foot of the territory acquired in the Louisiana purchase was not only needed to provide for the natural and inevitable expansion of the settlement then going on in the territory of the United States, but it also fitted perfectly into the American system; and the purchase brought nothing of a discordant nature into the existing Union. The domain purchased would be formed into territories with suitable governments as the needs of its growing population should require, and these territories would in time become states. There was at the mouth of the Mississippi a considerable settlement of people of another race from those who had colonized the existing states, but they were Europeans, and there was no question that in time they would become, as American citizens, an element by no means incongruous or undesirable. There is no ground whatever for question that, had the condition of things which confronted Mr. Jefferson at the time of the Louisiana purchase been foreseen when the Constitution was formed, the wisdom of leaving it to be dealt with by the government as it was in fact dealt with would have been doubted by no one.

What has been said regarding the acquisition of Louisiana is equally applicable to the treaty for the annexation of Florida. Here again was a case of territory bordering upon that of the Union, in the hands of a foreign nation, but needed to provide for the gradual expansion of the population of the Union, and certain in time to become the property of the Union either peaceably or by the lawless action of those who would covet it and who would seem to the people

of the United States to be its natural and proper proprietors. It was purchased for incorporation into the Union in the regular and ordinary way, and the opportunity was also taken advantage of to extinguish claims on the Pacific coast which were likely in time to become troublesome. Everything that was done in these two cases tended to perfect the work of the founders of our institutions instead of bringing in any element of discord or incongruity.

The case of Texas in its main characteristics differed radically from those of Louisiana and Florida. Texas had been a part of Mexico but had declared its independence and was endeavoring to maintain it by force of arms. The United States had recognized its independence and its title to a place in the family of nations. Mexico, however, was still asserting dominion over it and a state of *quasi* war existed. In the claim it made to territory Texas had embraced much over which it had never enforced its authority, so that the war to establish its claims would not be altogether a war of independence but in part also a war of conquest. While this was the condition of things, overtures were made for annexation to the United States, and Mr. Tyler, who was then President, with Mr. Calhoun for his Secretary of State, was exceedingly anxious that the offer of annexation should be accepted, and entered at once into negotiations to that end. The proposed annexation was popular in the United States, though bitterly opposed by a strong party at the north because it was believed to be a movement in the interest of slavery and having for its main purpose to aid in strengthening and perpetuating that institution. There were also many who opposed it as unjust to Mexico, and who said with entire justice that annexation would be equivalent to the making of war upon that country, for if Texas was annexed, it must be taken with the boundaries claimed by it, and those boundaries must be defended.

The treaty of annexation was readily made, and was submitted by the President to the Senate accompanied by a message in which it was assumed that by the mere entering into the treaty on his part, it had devolved upon him to see that the territory—by which was understood not merely that which Texas had subjected to its dominion, but all that it claimed—was to be protected in the interest of the United States; and he sent troops forward for this purpose. The forwarding of the troops tended of course to strengthen the cause of Texas as against Mexico, and under the circumstances could only be considered as an unfriendly act toward that power. The Senate,

however, when the treaty was brought to a vote, refused to ratify it by a vote of nearly two to one. The motives to this action on the part of different Senators were not in all cases the same. Opposition to slavery had influenced some, but the obvious injustice to Mexico and the patent fact that by annexing Texas we should take up at once a quarrel with that country, which in part at least would be founded in injustice, had been effectual with some others.

Immediately on the treaty being rejected, Mr. Tyler sent a communication to Congress upon the subject in which it was suggested that Congress take up the matter now and either by law or by joint resolution make provision of its own for the annexation of the country whose people desired to enter the Union. A joint resolution for this purpose was passed by the lower house at once, but when it was sent to the Senate, there was hesitation about concurrence. There seems to be no question that a majority of the Senate, perhaps two-thirds of the whole number, were in favor of annexing Texas to the United States if it could be done honorably and without taking a war upon the hands of our own people; a war which would obviously be unjust to a country with which at the time we had no quarrel.

While the matter was pending in the Senate, there was added to the joint resolution, with the approval of Mr. Benton, who had opposed the treaty, a provision for the opening anew of negotiations upon the subject, the purpose being to negotiate not merely with Texas but with Mexico as well, in order that the annexation, if accomplished at all, might be brought about with the good-will of the other country concerned. The resolution as thus amended was passed by the Senate and went back to the House for concurrence.

As adopted, the joint resolution left it with the President to accept either one or the other of the two methods for effecting annexation as he should prefer, Mr. Benton, however, having first been assured by the intimate friends of the President, who was then in the last days of his term, that a commission for annexation should be sent forward with powers to negotiate,—Mr. Benton very likely himself expecting to be one of the commissioners.

Instead of that being done, Mr. Tyler, on the third day before his term expired, sent forward a messenger secretly with directions to proceed at once to Texas, and there complete the negotiations under the joint resolution, and in this manner the matter was taken out of the hands of the treaty-making power, and was disposed of finally under authority of the joint resolution without regard to the pro-

vision for further negotiation. Texas assented to annexation through a delegated convention, and the union was completed by Congressional action the following winter.

Prof. Von Holst, in his life of Calhoun, has referred to this matter and has spoken of it as if it were something that was entirely outside the proper province of the legislative power of the two countries. It appears to him in the nature of an appeal by the President from the treaty-making power, which had already acted and refused to annex Texas, to the law-making power, the former being unable constitutionally to complete the negotiation except by a vote of two-thirds of the members of the Senate, while in the two houses, it might be carried into effect by a simple majority of each of the two houses; and thus, as he seems to suppose, the treaty, once properly rejected, could be taken into new hands and more easily accomplished.

The complaint however in this case, if any is to be made on the ground of propriety or of rightfulness, would seem rather to come from the law-making power of the country, than from the treaty-making power, for this was a case in which two distinct powers were exercised that were conferred by the Constitution not upon the President and Senate but upon Congress. Texas was to be taken into the Union as a state on equal terms with the other states, and the power to admit new states to the Union was one of the enumerated powers expressly given to Congress. Then under the circumstances the completing of the annexation was equivalent to a declaration of war, and the power to declare war was vested in Congress as explicitly as was the other.

The authority of Congress in the case was at any rate unquestionable, and there is no doubt, we suppose, that this authority might have been exercised at any time without waiting for action by the Senate upon the treaty which the President had placed before it, and quite as well after that action had been taken. Indeed if we concede that the Constitution, in conferring these grants upon Congress, did not exclude the action of the treaty-making power in a case of this nature, it would still be apparent that there was much reason why the legislatures of the two governments should deal directly with each other, especially as treaties are likely to require Congressional action for their complete and final fulfilment and must often be supplemented by legislation which it is conceivable there may be difficulty in obtaining. When the legislatures act directly with each other, their action is likely to meet all the necessities of the case, and under

a grant of power so unlimited as is made to Congress by the Federal Constitution, no one can claim that the action taken in this case is not so complete and final and absolute as it possibly could have been, had the annexation been otherwise accomplished.

This case is particularly referred to for the purpose of pointing out that it affords no precedent for the annexation to this country of another independent country under the treaty-making power. There was an attempt to effect the annexation under that power, but it failed because the Senate rejected the treaty that had been formed for the purpose.

In regard to the country itself, we may repeat here what has already been said in respect to Louisiana and Florida. Its acquisition brought no incongruous element into the federal union. A state was brought in, being admitted to the Union on an equal footing with the other states. The population was homogeneous with our own; its institutions were similar to those which prevailed in the other states of the Union. Nothing was done; nothing was promised; nothing was contemplated in the annexation that was not perfectly harmonious with our existing system. The treaty as formed looked to the acquisition of territory that already constituted an established state, and it was upon this basis that the negotiations completed by the action of the two legislatures proceeded. The state, it was agreed, might be divided into other states, but there was nothing here that looked to anything but the final incorporation of states into the Union on precisely the same terms with those already constituting members of the Union. The state annexed bordered upon states already admitted to the Union, and if it could have been acquired honorably and without taking upon ourselves a war with a country with which we had ourselves no quarrel, it would doubtless be agreed without dissent by our people that annexation ought to have been assented to.

In the year 1867 our government, under the exercise of the treaty-making power, acquired the country known as Alaska. This country bordered upon territory which upon plausible reasons we had claimed to own, but which in the settlement of our northwestern boundary with Great Britain, had been assigned to that power. It was therefore not at the time of its acquisition strictly contiguous to any territory of the United States. It was nevertheless upon the continent; it was not very far away; it was unoccupied except by a race of savages; it would be open to occupation by the American

people, and in due time, if sufficient population should be found there, would be provided with a territorial government and might become a state of the American Union without seeming to conflict especially with what we hereinbefore have claimed to be the true rule of constitutional construction on the subject. Had it been annexed previous to the settlement of the Oregon boundary, no one could have raised any question of constitutional propriety.

A little while after the acquisition of Alaska, while General Grant was President, he made special efforts to secure the annexation to the United States of the country known as Santo Domingo. This was part of an island in the Atlantic ocean some five hundred miles away from us, very rich in natural resources, and capable of supporting a large population, and the President had no difficulty in finding strong advocates for the measure among that class of people of whom we still have many among us, who seem to think any addition to the country brings to its population a boon proportionate to the estimated wealth of the country added; as if all that wealth was to be apportioned among those who were inhabitants of the country when it was received, leaving out of view entirely the fact that the wealth added is already appropriated by owners, and that with it, when taken in by the country, are necessarily taken burdens which may or may not be in excess of its value to the country receiving it, so that whether it is to be an advantage or a disadvantage can only be determined when both sides of the account are carefully considered.

General Grant's anxiety to annex the country did not however spring altogether from the consideration of its natural wealth. It sprung rather from a desire on his part to rid the existing states of the Union as much as possible of an incongruous element that was already in their midst.

When the government was formed, a foreign race, different in color from ourselves, and which we had assumed was so much inferior that the people might be held and treated as chattels and forced to do the work of beasts in house and field, was held in slavery among us. The existence of this race in that relation had been an element of discord from the first, and it had resulted finally in a great Civil War from which we had but recently emerged. We had taken two great steps toward relieving the country of the incongruity. We had given the slaves their freedom, and we had advanced them to the dignity of citizenship, but the difference in race, in social peculiarities and habits and in mental qualities was still prominent,

and there was much repugnance among the people toward such assimilation of the two races as could ever be expected to make this difference cease to be the occasion of discord.

When Santo Domingo was offered to us by the people, President Grant looked upon the offer as presenting a most desirable opportunity for acquiring territory which would be voluntarily colonized and occupied by our former slaves, and which in time would become a rich and valuable country under institutions managed by themselves to their own great benefit and the great relief of those states of the Union where they were now most abundant. He says in his Memoirs:

"The island is upon our shores; is very fertile, and is capable of supporting fifteen millions of people. The products of the soil are so valuable that labor in her fields would be so compensated as to enable those who wish to go there to quickly repay the cost of their passage. I took it that the colored people would go there in great numbers so as to have independent states governed by their own race. They would still be states of the Union and under the protection of the general government, but the citizens would be almost wholly colored."

It is in this very statement of the President's view of the proposed annexation that one may see the most conclusive reason for declining to receive the offered country. When brought face to face with the question whether it was ever contemplated that the Constitution of the United States should have capacity for expansion that might extend it over independent states of colored people located upon an island in the Atlantic ocean, there was an instinctive feeling among the American people that protested against the thought. Its anticipated expansion was to embrace states whose citizens would be homogeneous with the people who had created it. The Union was to be of "United States of America," and if it could reach out into the sea for the bringing-in of a people so different from our own as were those then occupying San Domingo, or for the founding of states of colored races, it might, so far as the constitutional question was concerned, equally well be extended to cover colonies in Arabia or in Zululand which would eventually become states and send their representatives to Washington to assist in governing us. It might not be possible to annul a treaty to that effect once made, but it would be usurpation to make it.

These reasons were perhaps not in terms at the time assigned, for the objections in point of policy were so decided that it was scarcely necessary to consider any other; but they were nevertheless strongly felt and must have been conclusive, had no others existed.

THOMAS M. COOLEY.

CHINA'S VIEW OF CHINESE EXCLUSION.

THERE is a story told of the Chinese Prime-Minister, Li Hung-Chang, that during a conversation with a former United States Minister, John Russell Young, he asked whether Mr. Young could point out that particular paragraph in Wheaton's "International Law," wherein it was provided that a Hottentot was more desirable as a resident than a Chinaman. In once discussing with me the need for the Christian religion to reform the Chinese people, Li Hung-Chang also remarked at the close of our conversation, "Well, you needn't come back to China; you had better reform the American people so that they will treat our Chinese laborers a little better."

Was there not reason in this injunction from the Confucianist and mandarin of China? We as Americans may indeed well feel solicitous of our safety and jealous of the harm now implied to international law, to those great principles, which our forefathers and statesmen have always cherished, of international comity and courtesy.

The most marked feature of the bill of Chinese Exclusion passed May 5th, 1892, was the open abrogation of our treaty-stipulations with China. Not only were new regulations defined for the Chinese laborers now residing in the United States, but the first section of the act declares "that all laws now in force prohibiting and regulating the coming into this country of Chinese persons, and persons of Chinese descent, are hereby continued in force for a period of ten years." Thus the previous acts of 1882 and 1888 are continued in force by the new act of 1892, and new elements are introduced into the last act, and all are clearly in defiance of our treaties with China. Now, the three treatises on international law by Wheaton, Woolsey and Bluntschli, have all been translated into Chinese for the Chinese Government by a learned American, Dr. W. A. P. Martin, who is the President of the Imperial University in Peking and Professor of International Law. The Burlingame Treaty is also especially conspicuous for its clear enunciation of the foundation principles of true international relationship which the law of 1892 controverts.

What must be the inevitable effect on the feeling in China towards this country? The question of the observance or non-observance of

our treaties may be regarded as insignificant to an American at home; but to an American in China it is a vital and supreme question. China at the outset cared neither to open her doors to foreigners, nor to permit her own people to migrate to other lands. She wanted to be left alone. Western Powers, and America among the number, advocated the principle of international intercourse, and urged China to make treaties. From that time to the present, treaty-right, treaty-privilege, treaty-observance, has been the one thing drummed into Chinese ears. Every question, great or small, has been pushed in China by all the might and authority of the treaty. Again and again has the Chinese Government been made to bend to this new power of modern civilization—Western civilization. Not one iota of our treaty-rights have we proposed to yield. And not only so, but every treaty with China contains a “favored-nation” clause or article, whereby all the rights, privileges and favors granted to one nation shall inure to the benefit of another; and so it is that many favors and rights, which we as Americans did not originally obtain by our own treaty, have since accrued to us by being first granted to others. In all this change brought about in China, America has never been backward. What, then, shall we say of our own violation of the treaties with China? Of our national legislature’s carelessly ignoring our treaty-stipulations, and adopting the narrow restrictive policy which China held for hundreds of years?

There is no doubt in China that the acts of Congress do constitute flagrant violations of our treaties. The Supreme Court of the United States in May, 1889, itself conceded that the Chinese Exclusion act of October, 1888, known as the Scott law, was “in contravention of express stipulations of the treaty of 1868, and of the supplementary treaty of 1880.” As that act is to be continued in force ten years more from May, 1892, it is still true that there is a contravention of the treaties made with China by the United States. Moreover, the act passed October, 1888, Sec. 1, reads:

“That from and after the passage of this act, it shall be unlawful for any Chinese laborer who shall at any time heretofore have been, or who may now or hereafter be, a resident within the United States, and who shall have departed, or shall depart therefrom, and shall not have returned before the passage of this act, to return to, or remain in, the United States.”

That is, in plain English, a Chinese laborer returning to China, cannot return from there to the United States. This contravenes the treaty of 1880, Article II., and this clause:

"Chinese laborers who are now in the United States shall be allowed to go and come of their own free will and accord," etc., etc.

The same Act, Sec. 2, also says that "the Chinese laborer claiming admission by virtue thereof," *i.e.*, a certificate from the United States Government, "shall not be permitted to enter the United States." This contravenes the same treaty, article and clause just cited, *viz.*, that they may "go and come of their own free will." The act approved May 6, 1882, which the new act of May, 1892, continues in force, reads in Sec. 14 as follows:

"That hereafter no State Court or Court of the United States shall admit Chinese to citizenship."

This is constructively in contravention of the treaty of 1869, Article V.:

"The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance."

At the same time the Sixth Article, guaranteeing "the same privileges, immunities and exemptions" to Chinese in America as to other citizens or subjects, adds, "but nothing herein contained shall be held to confer naturalization upon the subjects of China in the United States." Thus there is the implication that naturalization is neither to be claimed, nor to be totally prohibited.

Further, the act as passed May 5, 1892, contains a variety of new features never adopted before, as in Sec. 5:

"On application for a writ of *habeas corpus* by a Chinese person seeking to land in the United States, to whom that privilege has been denied, no bail shall be allowed";

and in the long Sec. 6, "all Chinese laborers within the limits of the United States" must apply "for a certificate of residence," and on failure so to do "shall be deemed and adjudged to be unlawfully within the United States and may be arrested," *i.e.*, adjudged guilty until proved innocent; and finally "taken before a United States Judge, whose duty it shall be to order that he be deported from the United States," etc., etc.

This is in contravention of the Treaty of 1880, Art. I., which says:

"The limitation or suspension shall be *reasonable*. . . . Legislation taken in regard to Chinese laborers will be of such a character only as is *necessary* to enforce the regulation, limitation or suspension of immigration, and immigrants shall not be subject to personal maltreatment or abuse."

Also in contravention of the same treaty, Art. II.:

"Chinese subjects . . . shall be accorded *all* the rights, privileges, immunities and exemptions which are accorded to the citizens and subjects of the most favored nation."

Again, the act of May 5, 1892, Sec. 7, says:

"Immediately after the passage of this act the Secretary of the Treasury shall make such rules and regulations as may be necessary for the efficient execution of this act";

whereupon in July, 1892, Secretary Foster issued his "Regulations," ordering that every applicant for certificate of residence must bring "three unmounted photographs," and that every photograph must be a "true photograph," that "if the collector or his deputies have any doubt in regard to the correctness of the photograph presented they will refuse to receive the application and require a correct one"; finally, that each applicant must bring with him "two credible witnesses of good character." This regulation is likewise in contravention of the Treaty of 1880, Art. II., quoted above, *viz.*:

"Chinese subjects shall be accorded all the rights, privileges, immunities and exemptions which are accorded to the citizens and subjects of the most favored nations."

Also of Article III. Secretary Carlisle has lately issued orders not requiring the photographs, and needing only one credible witness. This, however, leaves the main point unchanged.

The different bills passed in 1888 and 1892 have moreover ignored the protestations of the Chinese Government. On September 21, 1888, the day the bill which was passed by the two houses was presented to President Cleveland, he received a telegram from the Minister in Peking, saying among other things that the Chinese Government desired "further discussion." The President, however, expressed the view in a message that he regarded the demand for re-examination and renewed discussion as an "indefinite postponement," and hence he signed the bill on October 1, 1888. This is in contravention of the Treaty of 1880, Art. IV., which says, "Whenever the Government of the United States shall adopt legislative measures in accordance therewith," *i.e.*, with the foregoing articles, "such measures will be communicated to the Government of China."

In other words, it is implied that the legislative measures are to be in accordance with, not in contravention of, the articles agreed upon in the treaty, and that such measures are to be duly reported to

the other treaty-power, the Government of China. The article then adds:

"If the measures as enacted are found to work hardship upon the subjects of China, the Chinese Minister at Washington may bring the matter to the notice of the Secretary of State of the United States, who will consider the subject with him; and the Chinese Foreign Office may also bring the matter to the notice of the United States Minister at Peking, and consider the subject with him, to the end that *mutual* and *unqualified benefit* may result."

Such is the end in view, but I have yet to learn that even in spite of the official request of the Chinese Government this "mutual and unqualified benefit" has been reached. In fact, there has been an inclination on the part of both legislature and Executive *not* to consider the hardship of the measures enacted and the attainment instead of mutual benefit.

All this indicates how far the stipulations of the treaties have been broken by the measures enacted by the legislature and approved by the Executive. And let two things here be noted, first, that the treaty which established in the clearest language and the broadest spirit "the inherent and inalienable right of man to change his home and allegiance" was the so-called "Burlingame Treaty," one in which an American statesman and not a Chinese mandarin represented the Chinese Government. And, secondly, that the treaty whose stipulations have been the most contravened by our American legislation was not this same Burlingame Treaty, but one in which a California citizen, the Hon. John F. Swift, was appointed as one of the Agents Plenipotentiary to satisfy the wishes of the Pacific slope, and in which the Chinese Government openly avowed its willingness to suspend for a limited period the immigration to the United States of Chinese laborers. The first blow at these treaty observances was by the Scott Bill of 1888, forbidding the Chinese laborers who might return to China, to come back to America, and the second blow was by the Geary Bill of 1892, making a series of unheard-of regulations, whereby the Chinese laborers who are already here, shall be hampered and annoyed, tagged like so many "ticket-of-leave" men in Botany Bay, and on pain of violation of these regulations be deported back to China. So Senator John Sherman said in the Senate, when the bill was under hurried discussion:

"In violation of the treaty we expressly provide that these people shall only have the right to remain here upon applying, on certain terms and conditions, for a certificate; they are ticket-of-leave men."

Treaties, our handbooks inform the Chinese, a principle of international law holds are a part of the supreme law of the land, subject only to the provisions of the Constitution, and binding on the contracting parties from the day of their date. As they read in Woolsey:

"National contracts are even more solemn and sacred than private ones, on account of the great interests involved, of the deliberateness with which the obligations are assumed, of the permanence and generality of the obligations, and of each nation's calling under God, to be a teacher of right to all within and without its borders."

The opinion of a former Attorney-General cited by our own State Department is as follows:

"Not to observe a treaty is to violate a deliberate and express engagement, and affords good cause of war. When Congress takes upon itself to disregard the provisions of any foreign treaty, it of course infringes the same, in the exercise of sovereign right, and voluntarily accepts the *casus belli*."

The Supreme Court, it is true, said in rendering its decision in 1889 on the Scott Bill of 1888:

"Although it must be conceded that the act is in contravention of express stipulations of the treaty of 1868 and of the supplementary treaty of 1880, it is not on that account invalid or to be restricted in its enforcement. By the Constitution, laws made in pursuance thereof and treaties made under the authority of the United States are both declared to be the supreme law of the land and no paramount authority is given to one over the other. In either case, the last expression of the sovereign will must control."

So Attorney-General Crittenden, in an opinion on certain legislation conflicting with the Treaty of 1819 with Spain, held that

"an act of Congress is as much a supreme law of the land as a treaty. They are placed on the same footing, and no superiority is to be given to the one over the other. The last expression of the law-giving power must prevail; and a subsequent act must prevail and have effect, though inconsistent with a prior act; so must an act of Congress have effect, though inconsistent with a prior treaty."

But it seems to me and to other friends of justice to China that three things should be noted, if a subsequent act of Congress is to prevail over a prior treaty, and what I here say is also based on the Supreme Court decision: First, according to another decision of the Supreme Court, if Congress may nullify a treaty with a foreign power, the nullification must be express, and not by implication. Thus far neither Congress nor the Executive has either expressly or impliedly abrogated the treaty with China. And hence the treaty is still in force, and not the subsequent act of Congress. Secondly, an act of

Congress cannot pass as law and abrogate a prior treaty, if it is arbitrary and unjust, and as the Supreme Court has also decided:

"Arbitrary power, enforcing its edicts to the injury of the persons and property of its subjects, is not law, whether manifested as the decree of a personal monarch or an impersonal multitude."

Thirdly, as according to the Constitution, Article VI., Clause 2, all treaties, as well as the Constitution and laws of the United States, are the supreme law of the land, so any law which may be proved unconstitutional cannot prevail over a prior treaty. As the clause enjoins, the laws must be "in pursuance" of the Constitution, to "be the supreme law of the land."

And this is what the Chinese under advice of competent attorneys are wishing to test, *viz.*: whether the Act of 1892 is constitutional and binding or not. For this reason the mass of the Chinese in the United States are ignoring the regulations of that Act, and what the Six Companies, by advice of their lawyers have said, seems to me true. "Our attention," they say, "has not been called to any law which makes it a crime for us to advise our fellow-subjects that they have a right to disregard a law which is in violation of the constitution and treaties."

Woolsey, in his "International Law," says:

"No nation through its public documents, or by its official persons, can with right reflect on the institutions or social characteristics of another, or make individious comparison to its disadvantage, or set forth in any way an opinion of its inferiority."

Aside from the treaty violations, this principle, it seems to me and it seems to China, has been glaringly violated by this bill of Chinese Exclusion and Registration, making certain uncomplimentary regulations for certain foreigners, first, because they are Chinese, and secondly, because they are laborers. That venerable and distinguished statesman of Massachusetts, Senator Hoar, has said:

"These measures not only violate our treaty engagement with a friendly nation, but they violate the principles upon which the American Republic rests, striking not at crime, not even at pauperism, but striking at human beings because of their race, and at laboring men because they are laborers."

The Act as passed, again and again refers to "any Chinese person or persons of Chinese descent," making no distinction between those Chinese who are Chinese subjects and those who by birth are the subjects of some other country, as of Great Britain on the island of Hong-kong, or even those who by birth are now the citizens of the United States. That man is a marked man who has Chinese blood

in his veins, no matter the government to which he may now be subject. As an English journalist in China has said, "It is obvious that no European country would learn with equanimity of the passage of a law singling out its nationals for penal legislation."

The larger portion of the Chinese in the United States are still the subjects of China, and China has a right to complain at the partiality of treatment meted out to her people. For Sir Robert Phillimore has deduced from the principle of equality the right of a government to protect its subjects resident in other countries, and it may be laid down that a state has cause of complaint if to its subjects in foreign countries is denied ordinary justice. International comity is another duty of nations. It embraces, says Woolsey, "not only that kindness which emanates from friendly feeling, but also those tokens of respect which are *due* between nations on the ground of right." This principle of comity has been infringed by the insult not only to the Chinese laborers, but by the greater insult to the Chinese Government, in our passing a law against certain subjects of China without regard to the national feelings of China.

International intercourse by means of international conference, they also understand in China, is the essence of international law and of the making of treaties. Hence it was that China was induced during the Burlingame era of friendliness, to begin the policy of sending Ministers and Consuls to foreign governments, as well as receive those from other countries. Hence it was that earlier in its history, but by advice of foreigners, China formed a new Office to deal with and consult about foreign affairs. The right of conference on matters pertaining to more than one country is too axiomatic to need any defence. And yet in 1888, when the Foreign Office at Peking asked for further discussion of the treaty made that year between the two countries but not yet ratified, President Cleveland deemed it best to refuse that request, but signed the act of Congress which placed greater restrictions on the Chinese than even the new treaty under discussion had defined. It was independent action rather than the conference of two contracting parties. As to the act of 1892, Woolsey's words may apply:

"No state can exclude the properly documented subjects of another friendly state, or *send them* away after they have been once *admitted* without definite reasons, which must be *submitted to the foreign government concerned*."

Whatever the outcome, this much is clear, that it is a lamentable caricature of our American civilization that our national government

should even desire to pass a law which may break the treaties and the principles of international intercourse. Would it not be a sounder and more honorable policy to seek the path of harmony, either by changing the law or revising the treaty, so that the law shall be in harmony with the treaty, in accord with international law, and in pursuance of the Constitution?

If it is right for the United States to pass laws which will abrogate our treaty-stipulations, then the Emperor of China can issue decrees or edicts which will also abrogate her treaty-stipulations with America and all other Western powers. Would it not be better to seek for harmony between the laws of our country and her contracts with another country? Why is it necessary to bring about a collision between these two forms of legal obligation?

The act of our legislature aims, as it is worded, "to prohibit the coming of Chinese persons into the United States." By the treaty of 1880 and the later treaty under discussion of 1888, the Chinese Government agreed to certain restrictions and the prohibition even of the immigration of Chinese laborers for a period of years—all of which is a remarkable example of international accommodation. And so the question arises, "What more is gained by passing laws seeking the same end, but ignoring the treaty-rights, breaking certain treaty-agreements, and insulting another treaty-power? Why not hold to the policy of mutual conference and treaty agreement, of helping each other rather than treating each other with contemptuous defiance?"

A former Attorney-General is quoted by the State Department:

"Not to observe a treaty is to violate a deliberate and express engagement and affords good cause of war. When Congress takes upon itself to disregard the provisions of any foreign treaty, it of course infringes the same, in the exercise of sovereign right, and voluntarily accepts the *casus belli*."

That China will declare war as a mode of retaliation, no one of sense has even suggested, but Chinese mandarins have enough of ingenuity and finesse to adopt other methods of retaliation which will hamper all foreign interests in China. Our law may be declared unconstitutional by the Supreme Court, but a dangerous political device has been taught the Chinese by our American statesmen.

As an Italian Premier has said, we in America should learn as true even of a popular government that "a ministry that violates international agreements is unworthy of the country, and should be placed under the ban of civilized governments."

GILBERT REID.

MR. PADEREWSKI IN AMERICA.

PREVIOUS to the arrival of Ignace Jan Paderewski in America, two years ago, he was known here to a limited circle through some of his charming pianoforte pieces and through the reports of the extraordinary sensation he had made in London, where scenes were witnessed at his recitals that recalled the days of Liszt's tours on the Continent. These reports had aroused much curiosity regarding the new Polish pianist, yet I fancy that there were a good many "dead-heads" in the large audience that greeted him at his first recital in our New York Music Hall; for, in the case of new artists as of new operas, New Yorkers are apt to "lie low" until it has been made quite certain that they will not waste their money in buying tickets.

The newcomer was cordially received; but for some time the Madison Square Garden concert hall was found large enough for his audiences. The crowds, however, increased, and presently he found it necessary to return to the Music Hall, which thenceforth was crowded at every recital; its seating capacity being twenty-seven hundred, with standing-room for about a thousand more. On Mr. Paderewski's return, last autumn, he again took possession of Music Hall and gave there eleven concerts, including two with orchestra, and every one of them was crowded to the doors, except the charity concert, at which the price of tickets was doubled. The receipts averaged about five thousand dollars, and the pianist's earnings from about seventy concerts in twenty-six American cities this season exceeded \$180,000—a sum never before reached by any instrumental performer and rarely equalled by a favorite prima donna in the palmiest days of the *bel canto*. To some of the concerts in Western cities, extra Paderewski trains were run from neighboring towns, and another curiosity was a special concert for the young lady students of Smith College, for which the authorities spent twelve hundred dollars. A higher figure than in New York was reached in Chicago, where one concert yielded over seven thousand dollars; but that was only because New York has no hall so large as the Auditorium. Often hundreds were unable to get tickets and once the house was

sold out a month in advance, while speculators received four dollars for two-and-a-half-dollar seats.

The financial results of Mr. Paderewski's second American tour show that those managers who have been offering Rubinstein twenty-five hundred dollars an evening for an American tour were not so rash as some fancied. Paderewski reached that average, and it is possible that Rubinstein, with the prestige of his life-long reputation as composer and pianist, might have exceeded it. Yet it is not likely that Rubinstein, at his age (sixty-three), could have endured the fatigue of an American season which even at the age of forty-one he found so exhausting that he wrote in his autobiography:

"May heaven preserve us from such slavery! . . . The receipts and the success were invariably gratifying, but it was all so tedious that I began to despise myself and my art."

It is interesting to compare Rubinstein's net earnings in 1872—fifty thousand dollars for two hundred and fifteen concerts—with Paderewski's gross one hundred and eighty thousand dollars for seventy concerts in 1893, of which perhaps one hundred and fifty thousand dollars are net. For the number of concerts given, he earned nine times as much as Rubinstein. Yet even this sum cannot tempt the Polish pianist to return next year. He longs to compose rather than to play. Six months of concert-giving, with half the nights spent sleepless on Pullman cars, brought on nervous prostration last year, and came near doing it again this year, in spite of his youthful age (thirty-three) and his strong constitution: for he is a much stronger man than he looks, being muscular and wiry, and weighing one hundred and forty pounds. The grace and suppleness of his form, combined with the refined cut and emotional mobility of his features, make him seem more delicate and fragile than he really is.

Our full purses and ready enthusiasm for what is greatest of its kind, combined with our "magnificent distances," make America at once the Eldorado and the terror of artists. There is a suspicion that we ruined a young genius by overwork and excitement in the case of Josef Hoffmann, and we cannot afford to repeat the experiment with one who has proved himself not only the greatest living pianist but one of the greatest of modern composers,—the most promising one of his years. All who are interested in the progress of art must therefore welcome his resolution to avoid the concert-hall for a year or two, and to devote himself to composition.

Should we be so unlucky as never to hear him again, his two visits would still be remembered as events in our musical history to which, in the same sphere, only Rubinstein's visit can be compared. We have heard many other pianists of the first rank, but they were pianists, interpreters, only, not original creative artists like Rubinstein and Paderewski, and it is this creative side of Paderewski's genius that accounts for the fact that his success on his second visit was greater even than in the first year, whereas D'Albert, Bülow, and Pachmann were financial failures when they returned to us.

In pointing at Paderewski's creative genius as the cause of his success as a pianist, I do not refer to his own compositions—which he modestly kept altogether too much in the background—so much as to the fact that creative genius infallibly betrays itself in interpretation, no less than in composition. Genius makes extremes meet; that is to say, it not only fascinates those who have the most highly cultivated taste for music, but also those to whom the art is usually a sealed book and the playing of ordinary academic pianists “all Greek.” Genius translates this Greek into English, or any other language you happen to speak. It is an emotional Volapük which makes all music intelligible.

This is not mere “sentiment” or “fine writing.” I really know of unmusical individuals who shun piano recitals as the greatest of terrestrial bores, but who delight in going to hear Paderewski because, when he plays, Bach, Beethoven, Schumann, and Chopin are no longer musical riddles to them, but sources of pleasure. There is an elementary electric magic in genius which transmits emotion from soul to soul without the intervention of technical knowledge, even as we are now learning to transmit electric messages without the use of wires. And just as Paderewski makes us forget that there is such a thing as technique by his supreme mastery of it and by making the music itself so absorbingly interesting, so he appeals to the emotions of the unmusical by enabling them to grasp the meaning and feel the eloquence of musical ideas even though they may be unable to tell the difference between a sonata and a suite, a valse and a mazurka. We frequently hear the lament that the vast majority of people should like only the commonest kind of tunes and denounce good music as “scientific.” The fault lies not in these people, nor, of course, in the music itself, but in the performers. If all pianists were Paderewskis, vulgar music would soon disappear from the world, art-music would no longer seem too “scientific,” and Chopin, Schumann,

Schubert and Bach would have a hundred admirers where now they have one.

The genius of Paderewski, like that of most great musicians, manifested itself at an early age, and developed gradually; nor has it reached its highest point yet, if we may judge by the fact that his playing this year showed a perceptible improvement over last year's. At six he began to study and at sixteen he made a concert-tour in Russia. At eighteen he was professor of music at the Warsaw Conservatory, and at twenty-three at the Strasbourg Conservatory. But at twenty-four we find him again at his studies, with Kiel in Berlin, and at twenty-six with Leschetizky in Vienna. Concerning this teacher he has written a letter to the "Musical Courier," which gives a pleasant glimpse of the writer's personal character, and in which occurs this note of gratitude:

"I was for a long time a pupil of Leschetizky and am absolutely proud of it. If I am become a pianist, it is to him that I owe it. He encouraged me in this career, he sacrificed the most precious part of his time to me, he facilitated my *début*, and all this he did with a disinterested simplicity of which he alone is capable. Therefore I am happy to render the homage of my gratitude to this man, artist, and master, noble and generous."

Under the guidance of this teacher he made his appearance as concert pianist in Vienna in 1887, but it was not till he had almost reached his thirtieth year that he became world-famed as a pianist.

There was an advantage in this delay. He had had time to get over his "storm and stress" period before the public at large and the critics knew much about him; hence he was in a position to be judged favorably from the beginning almost without reservation. The critics could bask in the consciousness that they had nothing to do but carry out their highest duty, namely, try to convey in their criticisms the spirit of enthusiasm that prevailed in the concert-hall, so as to induce as many as possible to attend and come under the elevating influence of such inspired performances. There are, however, critics who think they have not done their duty or earned their salary unless they have found something to carp at. For them Paderewski has been an aggravating problem, because his excellence is so symmetrical; yet they have brought four indictments against him which it is worth while to examine briefly. They are that much of the enthusiasm over him is a mere "feminine fad"; that he plays trash, because he plays Liszt; that he cannot (or could not) play Beethoven; and that his repertory is limited.

As for the first charge, is it the fault of the pianist that among those who attended his concerts were some ignorant and foolish persons? It is related that one day a woman, after buying her ticket, turned to the clerk and asked, "Does he sing?" Doubtless there were not a few of that class in the thousands that made up the seventy audiences in New York and twenty-five other American cities. That is inevitable in all cases of artistic popularity; but it is difficult to see what harm or "moral" there is in it. These people benefit music by paying their dollars, and may be benefited in turn by having their taste for higher art awakened. But why were all the Paderewski recitals given on Saturday afternoons? Was it not to attract the hundreds of young ladies who come into town from the suburbs on that day? Quite likely; it is the young ladies who keep music alive in this country, and who are usually the first to appreciate men of genius, in confirmation of which let me cite a few words from one of Wagner's letters, which cannot be quoted too often:

"With women's hearts it has always gone well with my art; and probably because, amid the prevailing vulgarity, it is always most difficult for women to let their souls become as thoroughly hardened as has been so completely the case with our political men-folk."

Concerning the second criticism there is this to be said. Suppose it were true that Liszt's rhapsodies and transcriptions are not the highest art, but sensational. They are at present applauded more than anything else; and have not those who like them a right to ask for some consideration, as well as those who prefer Beethoven's sonatas and Bach's fugues? But I deny most emphatically that Liszt's pieces and arrangements are sensational or trashy. Some of his earlier ones are, indeed, sensational and trivial, but not those which Paderewski plays, and least of all the rhapsodies, of which the greatest composer France has ever produced, M. Saint-Saëns, wrote, only a few months ago:

"Although built upon borrowed themes, they are genuine artistic creations, where the author manifests a most subtle talent. . . . It is entirely wrong to consider them merely brilliant. In them we find a reconstruction and, if we may say so, a civilizing of national music of the highest artistic interest. The composer did not aim at difficulties (which did not exist, for him), but at a picturesque effect, and a vivid reproduction of the outlandish orchestra of the gypsies."

Nor is Saint-Saëns by any means the only composer who has a high opinion of Liszt; there is hardly a living composer of real eminence

who would not endorse his opinions, and Wagner once declared Liszt "the greatest musician that ever lived"; which he probably was, except in the point of fertility of invention. Yet it is the critical fashion of the day to abuse Liszt (as it was ten years ago to abuse Wagner), in spite of the esteem in which he is held by composers and the adoration which the great pianists feel for him because they alone really know what a marvellous mastery of pianoforte style he possessed.

These remarks are specially pertinent here because Paderewski is undoubtedly the greatest living Liszt-player, although he never studied with Liszt, and never even heard him. Joseffy, who has none of the jealousy of minor pianists, and whom I would rank next to Paderewski, has expressed his opinion (and he is a Hungarian himself) that Paderewski is the only pianist not a Hungarian who has fully grasped the spirit of the Liszt rhapsodies, in which the tears and smiles of Magyars and gypsies are so capriciously mingled and which form the transition, as it were, from European to Asiatic music. That Paderewski is against the critics and with the other composers and pianists in his great admiration of Liszt, is known to his friends, and must be apparent to all who have heard him play one of these rhapsodies and noted the loving attention he gives to their ravishing melodies, exquisite harmonies, and orchestral variety of clang-tints. Even those astonishing glissandos in the tenth rhapsody, which under the hands of ordinary pianists seem like cheap tricks, are transformed by his dainty touch and exquisite shading into effects of ravishing beauty and genuine artistic value.

The most amusing episode of Paderewski's American tours was brought about by the question whether he could play Beethoven. We all know that Bülow and D'Albert are less admirable in Chopin and Liszt than in Beethoven and Brahms, and as a rule it is true too that pianists of the Chopin-Liszt school are not equally interesting in Beethoven and the so-called German "classical" school in general. As Paderewski belongs to the Chopin-Liszt school it was natural to suppose that he was not a great Beethoven player, and the first year the critics, with very few exceptions, said so. It cannot be denied that he did not always make so deep an impression with Beethoven as with composers of the romantic school, but this, I insisted, was quite as much the fault of Beethoven as of Paderewski, since Beethoven, with all his fertility of ideas, is not an *idiomatic* writer for the pianoforte, and (like Brahms) does not touch modern audi-

ences as deeply as composers of the romantic school. At the critical moment Dr. William Mason contributed a few articles to the papers which threw much light on the matter and brought out the comic side of the discussion. As he pointed out:

"Whenever a pianist makes his first appearance in public as a Beethoven player he is at once subjected to strictures on all sides by numerous critics who seem to have been lying in wait for this particular occasion, and there immediately arise two parties, each holding positive opinions, of which the one in the negative is usually the more numerous. This is by no means a new fad, but quite an old fashion, dating back at least as far as the writer's experience goes, something over forty years and probably much further."

No pianist was spared in this process, not even Liszt, of whom many of the critics said that he could not play Beethoven.

Following out Dr. Mason's hint I made some researches and brought to light a document showing that in the opinion of some contemporary critics Beethoven himself could not play Beethoven! After this *reductio ad absurdum* little more was heard about Paderewski's inability to "play Beethoven," and on his second visit that composer's sonatas were, according to his former critics, as admirably played as anything else, although he had not perceptibly modified his style of interpretation. Dr. Mason summed up his verdict on Paderewski, by saying that on the whole

"he stands more nearly on a plane with Liszt than any other virtuoso since Tausig. His conception of Beethoven combines the emotional with the intellectual in admirable poise and proportion; thus he plays with a big, warm heart, as well as with a clear, calm and discriminative head, hence a thoroughly satisfactory result. Those who prefer a cold, arbitrary and rigidly rhythmical and *ex-cathedra* style will not be pleased."

The case could not be more happily stated, and I entirely agree with Dr. Mason. No German pianist, not even Bülow (whose name has a "foreign" sound) has ever given me so much pleasure by playing Beethoven as Paderewski has. Is it not strange that the Germans, who have produced the greatest composers, should have to depend for the adequate interpretation of their works on the Hungarian Liszt, the Russian Rubinstein, the Polish Paderewski? The same is true of orchestral and operatic conductors, Hans Richter, Anton Seidl, Arthur Nikisch and Joseph Sucher being Hungarians.

We come now to the repertory question. Was his list really a limited one? To a superficial glance it might have seemed so. Giving eleven concerts in New York in one season, and travelling the

rest of the time, he was naturally obliged to repeat some of his pieces. The arrangement of his programmes, too, has a look of apparent sameness. He almost always begins with Bach, Handel, Scarlatti or some other very old master, following this up with Mozart or Beethoven, then the German romantic school—Weber, Schubert, Schumann,—and finally the Slavic and Hungarian school—Rubinstein, Chopin, Paderewski, Liszt. This historic arrangement has the obvious advantage that, without being at all pedantic, it leads the individual hearer through the same stages of development that the musical race went through. Each of the recitals thus becomes a lesson in musical history and adds instruction to pleasure. Within this schedule, however, a wide variety prevails, as the subjoined random list for the season 1892–3 (compiled chiefly from memory and perhaps not quite complete), indicates.¹ I have no list of the first season, but it will be safe to add thirty more pieces to those named, making about a hundred pieces for two seasons, which is not so very limited a list, I think, when we consider that everything, excepting the Beethoven trio and his own sonata for piano and violin, was played from memory.

A peculiarity of these programmes was that they were usually lacking somewhat in definiteness. Thus, to the audience, a Chopin nocturne and a mazurka say were promised, but they were not told which ones, the choice being left to the pianist's mood or momentary inspiration; and a pianist without moods may be a good technical player but will never rank as a genius. Pader-

¹ Fantaisie chromatique and fugue, Bach; fantaisie and fugue, A minor, Bach-Liszt; sonata, A flat major, momento capriccioso, Weber; étude, Paganini-Schumann; Nachtstück, papillons, concerto, carnaval, Schumann; variations and fugue, No. 1, menuet, concerto, nocturne, scherzino, two melodies, Paderewski; suite in D minor, Handel; rondo, Mozart; sonatas—op. 28, op. 31, op. 53, op. 57, op. 111, Beethoven; "Spring Dawn Mazurka," Mason; trio, op. 97, piano, violin and 'cello, Beethoven; "Midsummer Night's Dream Fantasia," Mendelssohn-Liszt; prelude and fugue, E minor, Mendelssohn; barcarolle, F minor, Rubinstein; "Soirée de Vienne," Melodies Hongroises, Divertissement Hongrois, Schubert-Liszt; impromptu, B flat, Schubert; serenade, "Erl King," Schubert-Liszt; nocturne, B flat, Field; capriccio, Brahms; variations, Haydn; pastorale, capriccio, Scarlatti; rhapsodies 2, 6, 8, 9, 10, 12, Liszt; "Hungarian Fantasia," polonaise, campanella, Liszt; "Spinning Song," Wagner-Liszt; sonatas, B minor and B flat minor, impromptu, op. 36; berceuse, barcarolle, polonaise, ballade, D flat, op. 27; nocturnes, op. 62, No. 1, and op. 37, No. 2; valse, A flat, op. 34, No. 1; A flat, op. 42; D flat, op. 64, No. 1; preludes C and A flat; études, F major, op. 25, No. 3; E minor, op. 25, No. 5; C sharp minor, op. 25, No. 7; G flat major, op. 25, No. 9; B minor, op. 25, No. 10; A flat major, mazurkas, op. 33, No. 4, op. 24, No. 4, Chopin.

rewski is remarkably moody and uncertain. He never repeats himself. When you have heard an academic pianist play a given piece once you know just how he will play it the next time. Not so with Paderewski; his versions are seldom alike on two occasions, and these variations are a constant surprise and delight to his regular hearers. It should be added that the excessive fatigue of constant travel has had the natural result of making some of his recitals much less interesting than others. If there are any who have heard him but once and were disappointed, they will herein find the explanation. On the other hand, so superlative is his technical mastery of the keyboard that a sore middle finger of the right hand which practically reduced him to the use of the other nine fingers for a few weeks did not materially lessen the fascination and perfection of his playing. Indeed, the most spontaneous, refreshing, and inspired recital he gave in New York this season was given when his finger was still tied up and had been so painful as to compel him to rest a few days. All the pent-up energy then found vent in his playing, and the occasion was a memorable one.

At each of his recitals he seems to have a favorite composer, according to his varying mood. Now it is Bach, now Schumann, now Chopin, or Liszt. If he equals Liszt as a Beethoven player, surely no one since Liszt has better succeeded in revealing the wealth of melody and the romance in Bach, who is usually supposed to be a bundle of dry counterpoint while Paderewski makes his chromatic fugue sound like a modern improvisation. Mozart he plays with the simplicity of a happy boy, and Schubert with all the poetry pertinent to that master of melody and exquisite modulation. Under his hands the complicated rhythms of Schumann's works fascinate us no less than their Jean-Paulesque humor. Most sympathetic of all is of course Chopin, whose Polish melancholy, Slavic rubato, and ravishing tone-colors are reproduced as only a Slavic pianist can hope to render them. The simple truth is that before this artist the most carping critic, if he has any sentiment in his soul, is bound to capitulate. As I have said elsewhere, "Mediocrity is for criticism, but in face of genius we bow to learn, to enjoy, to worship." There is no living critic who can teach him anything, none who cannot learn from him. The only thing that remains for the critic is to indicate what is novel, peculiar, unique, in his style.

That he is preëminent above all pianists in the matter of beauty and variety of tone-color is a fact beyond all dispute. In this respect

Dr. Mason considers him superior even to Liszt, his teacher. Not having heard Liszt but once, I cannot give an opinion in this matter, but do not for a moment doubt Dr. Mason's judgment. The very fact that Liszt's pianos were inferior to those of the present day indicates that his tone could not have possessed all the charm and variety of Paderewski's. The gift of a beautiful touch comes by nature, like a beautiful face, but it can be largely enhanced by cultivation and healthy exercise. It is related of Paderewski that as a boy he listened to the vibrations that make up a note and modified his touch till he got the vibrations just as his delicate sense of tonal beauty wanted them. He does the same thing evidently during his recitals. He has no looks, no grimaces, for the audience. No public smile ever sits on his lips, yet if you look closely you will notice subtle changes of expression on his features: he is intently listening to his own playing, and if the tone is beautiful as he wishes it there is an expression of pleasure to which the applause of the audience can add but little. He is his own severest judge, and absolutely free from vanity.

Tone, in a modern piano, is as much a matter of pedaling as of finger-touch; and in the art of pedaling Paderewski has no peer. Not only does he never by any accident blur his harmonies and passages, but he produces tone-colors previously never dreamt of in a piano. By rapid successive pressures of the pedal he succeeds in giving the pianist a new power, that of changing the quality of a tone after it has been struck; as every one must have noticed, for instance, in his minuet, which has already become so popular that the audience breaks into applause as soon as he plays the first few bars. It was at first supposed that he produced some of his novel effects of sustained and changing tones by means of the middle pedal, but as a matter of fact he never uses that pedal, not being accustomed to it. All the more must we marvel at his unique art of converting the piano into an orchestra.

Hans von Bülow, in his edition of Beethoven's pianoforte works, marks certain passages *quasi violoncello* (or some other instrument) which the composer evidently had in mind. Bülow was not himself very successful in suggesting these orchestral hints, whereas Paderewski constantly does so in the most astounding manner, especially in Liszt, whose piano style is naturally orchestral in its suggestiveness, and yet idiomatic. For instance, as the surging sounds of some mighty arpeggios die away, you will hear a weird sustained tone, like

a muted horn from another world; again you hear the wail of an oboe; and in the Chopin Berceuse, Paderewski converts the piano into an *Æolian* harp whose harmonies seem to rise and fall with the gentle breezes. And all this time there issues that "continuous stream of tone"—like the mystic sounds of the Bayreuth orchestra—that was one of the distinguishing features of Chopin's playing. In Paderewski we have doubtless a close reproduction of Chopin's playing, except that he probably brings out the dramatic, masculine side of his art more than Chopin himself did.

Genius involves hard work, in a pianist as in a poet. Paderewski's triumphs were not easily won; he had to practise and study many years for them, and to this day he often lies awake for hours at night going over his next programme mentally, note for note, and trying to get at the inner essence of every bar. It is this intellectual element in his playing which contributes even more to its success than the sensuous and emotional sides we have just considered. He belongs to the modern school of musicians in this, too, that he is a man of culture and refinement. Not only is his an honest devotion to art, which scorns any trifling with the audiences, or any posing as a genius in the old fashion, by personal untidiness, unlaundered collars, and unblackened boots, but he cultivates the other arts and literature, besides music. He is as brilliant in table-talk as at the piano, and is a most sympathetic and intellectual companion; qualities which are displayed in his compositions no less than in his playing.

One of his noblest traits is his genuine modesty. Sir George Grove praises Schubert as "one of the very few musicians who did not behave as if he considered himself the greatest man in the world." In this respect Paderewski resembles Schubert, as was amusingly brought out in one of those little speeches which De Pachmann loves to make to his audiences. "Paderewski," he said, "is the most modest artist that I have ever seen. I myself am the most unmodest artist, except Hans von Bülow. He is more unmodest than I am." To his rivals the Polish lion is generous and pleasant, an attitude which not all of them reciprocate. There is a good anecdote which I believe has not yet got into print. At a gathering of musicians in New York a certain minor pianist who was a failure sneered at Paderewski as "a parvenu." "I beg your pardon," retorted a young journalist noted for his ready wit, "you probably mean the *nouveau riche*."

Since there is undoubtedly more good music in the world than

there are good pianists, would it not be desirable to have Paderewski continue playing, rather than devote himself chiefly to composition? There is no reason why he should not combine the two functions, but it would be a calamity to art if he should prefer playing to composing, since his creative genius is even more remarkable than his interpretative skill. Of this there can be no doubt to those who have heard him play his concerto or his "Chant du Voyageur" for example, pieces which, with others from his pen, place him in the front rank of living composers for the piano and show that, unlike Chopin, he also understands the orchestra. Of songs he has published only four (opus 7). They resemble Chopin's Polish songs in spirit, but are not equal to the piano pieces. He has, however, ready in his head, several new songs, not yet on paper, which he plays to his friends and which are perfect gems. His piano pieces are over thirty in number, and a glance at the list shows that in form as in spirit they belong to the Polish branch of the modern romantic school. Among them are five Krakowiaks, four mazurkas, besides Polonaises and other Polish dances, also a caprice, intermezzo, legend, barcarolle, sarabande, elegy, melodies, etc., all of them short pieces such as are characteristic of the romantic school. To the "classical" form he has paid deference only in his concerto and his sonata for violin and piano, although even here the "classical" artificiality is avoided, as is the "classical" interminableness. It is to be hoped that he will have the courage to pay no further tribute to the obsolete sonata form, but follow in the footsteps of Chopin and Liszt in composition as he does in his playing. In that direction lies the concert music of the future.

HENRY T. FINCK.

DECADENCE IN MODERN ART.

THERE is no feature in our present age of which we are more proud than our revived interest in Art, our renewed success in Art; and we are wont to look back on our grandfathers as having lived in the dark ages of taste. There is solid ground for this pride; our knowledge, our judgment, our instinct for Art have shown for more than a generation a great development. Our zeal for new forms of art is conspicuous. But, with an irrepressible thirst to be original at any cost, there is a tendency at work of a thoroughly debased kind. Of the dangers of this I would say a few words.

Reaction against the conventional, the melodramatic and the "sweetly pretty," is wholesome and natural; and it is much to have secured a general revolt against these besetting vices of an artificial age. But revolt and iconoclasm are only the beginning of reformation; and in Art especially the more violent forms of protest are full of harm. It boots little to be rid of the conventional in order to set up an idol in the brutal, the coarse, the odd, the accidental, and dull imitation of rank commonplace. Yet this is a growing creed amongst the motley crowds of those who imagine themselves to be pursuing Art in many forms and under very different inspiration.

In literature, in the drama, in painting, in sculpture, even in architecture and in music, we are now bidden to admire what is simply novel; and the test of true genius is discovered to be the disgusting or the eccentric. In the vast field of literature, which is so infinitely more subtle and complex than any other form of art, it is true that, under strict reserve, and in a master's hand, there is room for idiosyncrasies and for horrors. In fiction, and to some degree in poetry, a powerful imagination may deal with the grotesque and the repulsive. Their suggestions are far less concrete and definite than those of the arts of form. But painting, with its sharp, vivid, imitative limits, cannot safely venture on these gross reproductions of the brutal and the vulgar. When painting does this, it is degenerating into literary instead of artistic resources. And it is a proof of decadence and aimless vacuity when the painter endeavors to goad us

into interest by the same appeal to our sense of disgust with which the novelist has long exhausted our patience.

At the root of this tendency lie mere conceit, a craving for notice, and ignorance of the methods, limits, and conditions of Art. A raw lad who, except that he can twirl about a brush, has as little intellectual training as an errand-boy, solemnly warns us—"That is what *I* see!"—"That is what *I* like!"—"This and That are what *I* know!" But what if the visions of this youth, his likes and his dislikes—even what he calls his "joys" and his "passions"—are wholly without interest or value to any rational and cultivated man? What, if the queer things he may have learned in some obscure hole, are tedious, it may be nauseous, to thinking people who want no such experience? A man may go down into a sewer, or a dissecting-room, or a coal-pit, and may there see things which are not familiar to the public and which it would disgust the public to see. Accordingly he paints these things in an odd matter-of-fact way, as protests against the conventional and the sugary in Art, and he calls on us to admire a really original masterpiece. Michael Angelo and Rembrandt may occasionally touch such a subject, which their genius could clothe with a wild poetry. But a common pot-boiler, which can clothe them only in very squalid prose, is mere impertinence.

One rarely sees an exhibition of pictures now, especially in France, without plenty of literal transcripts from hospitals, police cells, and dens of infamy. A powerful imagination might find art even there. But the aim of these modern "artists" is not art—but disgust. They give us mere colored photographs, without grace, pathos, awe, life, or invention. Their purpose is to be as ugly, as crude, as photographic, as unpleasant as canvas and dull paint can make it. It is not even grim; it is not sensational; it is not a *tour de force*. Everything is flat, angular, prosaic, nasty. Few persons have witnessed the operation of ovariectomy, or a lesson in anatomy, or a drunken orgy in a night-house. To give a literal rendering of one of such scenes ministers in some to a prurient curiosity. And the artist has his reward in the grinning groups around his work. But it is no more art than is the report of a filthy trial, or the descriptions in a manual of surgery.

Another favorite device, again in France especially, is the serving up to the general public those nasty oddities which are inevitable in the studio, the dressing-rooms of a theatre, or a booth at a country

fair, or any other place where habit and toil have expelled modesty and refinement. "The model scratching her back," "The model who has sat down on a wet palette," "The acrobat enjoying a jug of beer,"—such are good titles in the catalogue to arouse a jaded interest. Any stupid horse-play which causes a grin in a studio or a circus will equally serve the turn. It is novel to the public; and to paint it with a dull photographic realism will give the spectator a puzzle to work out. Crowds will say—"What on earth is that?" They never saw anything like it; and so it will supply them with new information and experience.

Some hold that Art means utter dullness and strict elimination of every source of interest. A dirty old woman vacantly staring at a heap of stones, a pig wallowing in fetid mud, a dusty high road between two blank walls, a sand-bank under a leaden sky—such are the chosen spectacles dear to rising genius. It is impossible to find in them a trace of beauty, poetry, pathos, incident, or grace. When these are presented with a monotonous realism in a uniform tone of drab or mud, we are triumphantly told that conventionalism is routed and Truth in art is enthroned. There are now to be seen pictures on Exhibition walls wherein nothing whatever can be detected but a sickly blur in a haze of gray monochrome. It is true that sensation-alism and conventionalism are at last got rid of. But so they would be, if the artist had left his canvas blank, or had put his palette in a gold frame and named it "Day-dreams," or a "Fugue in primitive colors."

Others again, in pursuit of the novel and the real, will laboriously discover some trick in nature, some unfamiliar and quite accidental collocation of objects, some artificial reflection, some conundrum in color, and they very conscientiously paint the queer subject. "Do you think it unnatural? Ah! then you never saw a green frog crawling over a bare bosom in a flash of lightning. If you had, you would have seen just that!" It may be; but we don't want to perpetuate such unusual incidents, even if we ever saw them. And if the scene was really like that, it must have been anything but pleasant. "Who ever saw a woman with green flesh and blue hair?"—"Yes! but you never saw the reflex colors of a tropical jungle in a thunderstorm!" We certainly never did. But when we go to picture galleries we like to see pictures, pictures that are intelligible without a catalogue or a lecture on optics; and we do not care to see kaleidoscopic juggleries in mysterious frames.

Ah! the frames! Raphael and Titian nowadays have gone into partnership with their frame-makers, and they share the glory in equal halves. Your painter to-day is as fantastic in his frames as some would-be women of fashion in the device of their note-paper. Every trick that was ever tried to amuse children in a Christmas card now figures in a picture Exhibition; and works of art are advertised in their fancy wrapper like pills and soap. Of course the school of the "bleeding Coster" has his slang frame. The sides of a packing-case, some long boots, an unbarked rail, the boughs of a tree, or a leathern apron—any one of these makes a new and effective frame with downright realism and nothing conventional at all. They call attention to the work of art inside, if they do not monopolize attention; they show an aspiring genius and a freedom from cant. There is one form of frame which I have not yet seen tried, the idea of which I propose to patent in Paris, London, New York, and Chicago. It is an apparatus by which the frame contains a mechanical whistle or "hooter," set to give voice every three minutes or oftener if required. The fortunate artist who first obtained this whistling frame would force the spectators in the gallery to turn to his canvas. That would give him what he seems to regard as the main end of his art.

We need say nothing about the delirious affectation of the "Sâr Péladan" and the "Independent Artists" and of other *petits maîtres* who attitudinize in various galleries. The "hooting" frame would answer their purpose far better. But, as an indication of the "winds of doctrine" now crossing the art-world, they should be observed. Things must be out of joint when, not one, but fifty "artists" can cover the walls of public exhibitions with mere practical jokes. One of them paints his picture—say a young woman beside a river in a meadow near a wood—and over the whole finished piece he daubs on purple blotches about two inches long and a third of an inch wide. These streaks, like woolly caterpillars on a leaf, go right across girl, river, meadow, sky, and wood—"over all," as the heralds say. The effect is supposed to be that the picture is worked in Berlin wool. Beside it, a naked hermaphrodite stands on the top of a deep water without sinking into the surface, gazing at the sun with a rapt expression. These things are "an allegory": this is modern symbolism. Before another "symbolic" work of modern genius lately stood a group of experienced artists, disputing as to what was the visible subject of the picture. One thought it was a battle-piece; another

insisted it was shell-fish in a tank; others took it for a Last Judgment; and one was positive it was ripe fruit.

Unfortunately, this pursuit of the grotesque is not confined to buffoons. Men of real power, men of undeniable influence, are making systematic efforts to establish in Art the reign of ugliness, brutality, dullness. Whatever is loathsome, whatever is eccentric, whatever is common,—this, we are assured, is the native home of Art. It is a creed practised and taught by some who really can draw and paint; and it is justified by a school of critics coarse of tongue and quarrelsome in temper. “Who drives fat oxen should himself be fat,” as Dr. Johnson put it. And the apostle of the foul in Art is certainly not nice in his language or courteous in his manners. We can afford to pass by with a smile the mere mountebanks and their literary puffers. But we cannot shut our eyes to the fact that men of true gift and trained skill are dragging down their Art into the mire; and it is time to weigh their claims and their theories. For it concerns much more than Art. Like every other claim to degrade human life, it has a moral and a social side which concerns us all.

Reduced to its elements, their theory is this:

“Art means the representation of Nature. Whatever is found in Nature is the subject of Art. The test of Art is Success in representation: nothing else at all. The business of the artist is to show how cleverly he can use his brush. It matters not what he paints, if it enables him to display dexterity. You, the spectator, must not think about the painting—the one thing to be thought of is the painter. You may not like the result of his work: you may find it as a picture, tedious, revolting, grotesque. So much the worse for you. The painter *sees* that; the painter *enjoys* that dull or foul scene; the painter *once saw* that queer combination. It is no business of yours that it does not interest you. Your business is to see how very cleverly he has put on to canvas this filth or this dullness. If you cannot see it, you are a rank Philistine, and had better buy oleographs evermore. Art has been ruined by its silly straining after the beautiful, the ideal, the charming, and the ennobling. There is in Nature quite as much that is coarse, dull, odd, and foul—perhaps much more—and it is far more obvious and intelligible. Art henceforth means the realism of the seamy side of Nature and Man. We have been surfeited by the pursuit of grace, beauty, and dignity, which have led Art into a world of sickly conventions. We are now in for naturalism in its real, crude, naked shape. If *technique* is right,

all is right. The one test of Art is—*du Chic, du Chic, encore du Chic!* ”

These are the Ten Commandments of the Ugly School. And we may say at once that Art has never before been endangered by a creed at once so false and so base. It is the product of conceit in the artist, stimulated by the demoralizing system of public Exhibitions filled by competition, in an age when social principles are being cast pell-mell into the melting-pot. What matters to us the cleverness of the artist, as such? We want something to be a joy forever; we have no interest in the smartness of somebody advertising his wares. If his “cleverness” is thrust on our attention, it is a nuisance; if we perceive his advertising tricks, it is an offence. If a painter in effect says to us—“Never mind my picture, look at my brush-work!”—it is an outrage. We could not endure the Cartoons, if every robe were inscribed “*Raphael fecit*” in letters a foot in height. The painter who aims at displaying how astonishingly smart he can be, is not a painter, but an acrobat. A tragedian might perform Hamlet standing on his head instead of his feet, but we should not call him a great actor. We come to see a drama and not a performer’s tricks. The less we see of the painter, the less we notice his method, and the more we feel the work as work of art, and the more we enjoy it for itself and not for its producer—the nearer do we get to true Art.

It is mere impertinence for a man, of whose culture and attainments we have no guarantee at all, to come forward and tell us that he *loves* a murky sky, a sandy waste, or a drunken tramp; that he *sees* Nature through a green or purple lens; that he is quite *at home* in squalid dens and dingy byways—that we must take *his* likes and dislikes, and put our own away. Yes! if he can throw poetry and power into the common, if he be Israels or Millet, Méryon or Decamps. We care for the least sign of interest in anything from Michael Angelo and Rembrandt, because we have certain evidence that they had a creative brain and a profound spirit. But in the absence of any such evidence, why need we adopt the likings of the first man who has picked up a trick of the brush? For aught we know, his eyesight may have been distorted, and his soul turned sour in the dregs of some Parisian “*Trois Rats*,” where all that he ever knew of life was drawn. If such an one, without poetry, pathos, or imagination, presents to us a crude, dull, photographic copy of something gross, something wearisome, such as we should turn from with loathing in real life, how is the offence mended by the artist’s assur-

ance that he loves it himself, and by his friend's assurances that he is a very *diable du chic* with his brush?

Real genius gives us a great deal more than the *Chic*, the craft of the brush; and, however wonderful be its brush-work, that is always the least part of the whole, that of which we think least, and notice last. To real genius all things are open, and if it choose to rest for a space on what is common or gross, genius speaks to us from out it in tones that go down to our hearts. But the painter touches the gross and the common at his peril. If he has nothing to tell us save that it is common and gross, it avails him little to add that he is himself immensely clever. If he be, let him give us what we can enjoy. To serve up what he enjoys himself, he might as well ask us to see him enjoy a brandy cock-tail or a dish of tripe. We have no taste for tripe, or for cock-tails—nor indeed for him. Of course he can only paint what he sees; he must tell us what he knows; and show us what he has observed. But a previous question arises—is he wanted at all? There are very many clever people in the world; and unfortunately, many of them are a mere incumbrance and nuisance on this earth. In this æsthetic age, when millions of men and women are dying to have a taste, a clever artist of any kind (be he only a good-looking youth who has taken to the stage), can very soon gather an admiring *claque*. But the real question is, whether mere technical cleverness, without genius or learning, has any *locus standi* in an age of high culture.

All visible things may be painted, and the accomplished artist should be able to paint anything paintable. It is no doubt an excellent training for him to paint anything he sees, exactly as he sees it, however flat, however ugly. But this is merely his exercise, his studio practice, his "training" work. We no more want to see these exercises exhibited, than we want to see the dancer and the acrobat at home training their muscles, or the musician practising scales. The bulk of what our modern naturalists exhibit as works of art are nothing but the crude exercises of a learner. To the student the bare and gritty fact is indispensable. No one can ever be an artist who has not completely mastered it. But it is only the A B C of art, as are scales to a musician, and somersaults to an acrobat. Art only begins, when he who can present facts perfectly, comes to see how facts may be presented with feeling and imagination. It is quite true that we have long had to put up with sentimental feeling and theatrical imagination, and no terms need be kept with these sickly

abortions. But to stamp out feeling and imagination altogether is an error just as gross. And in order to sterilize feeling and imagination, the ambition of "modernity" too often seems to be, to lavish conspicuous agility of brush on the vulgarest bit of fact which Earth or Man can present. That is—*le vrai Chic*.

Let us never hold parley with this Gospel of grossness and conceit. Art does not exist that its professors may show their skill with their tools, any more than Literature exists only to show how men of letters can handle a pen, any more than Religion exists only to show how eloquently preachers can discourse about Heaven. We do not suffer a musician to startle his audience with brilliant fingering, and to tell them that it is no business of theirs whether the music he plays be pleasing or commonplace. Nor would we listen to the actor who told us to admire his elocution or his make-up, and that it was all one, if the words of the play were by Shakespeare or by Cibber. Yet there is growing up a new order of painter whose device is—"I am the blessed Glendoveer: 'tis mine to paint, and yours to gaze." "Modernity" is a fine thing, and new efforts are very much to be encouraged. But even in this age of perpetual change, there are a few stable canons of philosophy and human nature left untouched; and if they do not enter into the curriculum of education in the Life Schools of London and Paris, they have not been entirely dethroned. And the central of these canons is this, that the business of Art is to increase the beauty and the happiness of human life.

Society in self-defence must put its foot down on the degrading affectation of those who love to accentuate all that is ugly and dreary in Nature and in Man. It is an easier trade than adding to the sum of beauty and happiness. And it is unquestionably a newer trade. Their squalid paradox would never have been heard of, save in an epoch of incessant change and of chaos in opinion. We live in a world which is growing quite delirious for something new, when any revolt is hailed as a new dispensation. A man has only to shout out loud enough the new Gospel—say, "Murder a fine art," "The true beauty of dirt," or "Ugliness as a joy forever,"—and he straightway gathers round him a sympathetic group. The system of Art Exhibitions, unknown and impossible in any great age of Art, with its competition and its advertising tricks, is continually feeding the vanity, the jealousy, the cupidity of the artist. Nowhere is "the struggle for life" more acute. It begets such a spirit as reigns over Monte Carlo and Wall Street. In the frantic thirst to win, any para-

dox must be tried, any degradation accepted. Where at most a hundred men in all are so born as to be worthy of devoting their lives to Art, ten thousand are struggling to get heard of, and to have their canvases bought. Our very enthusiasm to get a New Art, we know not whence or how, is so ill-directed that it threatens to make any good Art impossible.

Direction!—there perhaps lies the root of the matter, and the source of our danger. The essential claim of “modernity” is to assert the absolute independence of Art, and to defy any sort of condition of limit, whether of tradition, philosophy, morality, or even good sense. The artist, they tell us, is an angelic being who is a law unto himself, and the world has merely to gaze at his gambols, and to enjoy his enjoyments, as we do with some rare and diverting beast at a show. No claim can be more preposterous. There is no better ground that Art should be independent of all other human activity, or be more of a law unto itself, than that literature, or industry, or politics should be. Rational civilization implies that all forms of social life should equally conform to human experience, should work on some recognized principles, should visibly conduce to moral and social progress. The ancient world of Art was inspired by its beautiful and inexhaustible mythology. The mediæval world of Art was inspired by its sublime and pathetic hagiology. The Renaissance was inspired by that rich and joyous Humanism, such as we find in Michael Angelo and Ariosto, in Spenser and in Shakespeare. There never was, and there never will be, any epoch of great Art which had not its own religious, social, or national enthusiasm, its recognized ideals of beauty and happiness, its sense that the duty of Art was to minister to a nobler life. It will be an evil day, when Art comes to mean individual caprice, and the artist means a clever tradesman scheming to get business—when the ideal of Beauty is displaced by feats of manual dexterity.

It is true that we have got rid of any pretension whether of Theology, Church, custom, or convention, to keep Art in leading-strings and to crush it by Egyptian or Byzantine formulas. There is no danger of returning to such barbarous slavery of a superstitious age. But to rush to the extreme of handing over Art to individual caprice and intellectual chaos is a very different thing. And to what individual caprices are we asked to submit? To the crude experiments of men, the great majority of whom have never shown a sign of intellectual culture or inspiring ideas, and whose highest ambition is to

get their "values" right. Certainly the "values" must be right, if anything is to be done at all, just as the notes must not be flat if we are to play or sing to any purpose. But "values," and notes in tune, are but the A B C of the art; and when they are got right, everything still remains to be done. *The business of Art is to increase the beauty and the happiness of human life.* And until the craftsman is duly abreast of all that is known, felt, and thought by the most competent minds and the purest spirits of his time—till then, he remains a craftsman and cannot be enrolled in the noble army of artists.

The old religious ideals, the old poetic ideals, the old social ideals are certainly passing away, and we are all waiting till the new ideals are fully formed, and ampler canons of life and beauty are revealed. But these are not to be reached by ingenious experiments with a palette, or by the random fancies of men who have neither wide grasp of life nor serious intellectual culture. Our painters need an education far larger than that of third-rate poetry and comic literature. And in the mean time desperate efforts to do something original by men who have no single qualification to make them intellectual leaders, are certain to lead us still further astray. It is but too obvious that nearly all that which served to inspire great art in past times is now worn out. But to preach to us that Art needs no inspiration, no ideals, no guidance, no thought, no beauty, no self-control—that its sole task is to put on canvas whatever is to be seen—this is the broad road that leadeth to destruction.

Let me not be taken to be a partisan of the old academic conventionality, with its sickly round of Dresden-china puppets and its inane assortment of stage properties. I am defending no particular school, as I am censuring no particular person. We have amongst us painters who, if their results fall short of their aim, have a fine imagination, a true sense of beauty, and a high conception of the dignity and the conditions of their art. We have such men, and let us be thankful for them. And, if they are but a few in the midst of a crowd still given over to conventional routine and trivial interests, it is simply that we are living in an age which is not yet great in the arts of form. On the other hand, I have been condemning no single person and no single group or school. There are several groups now working in many countries who are trying most different methods, and preaching most different doctrines. They are mostly to be noticed in France, which is now the recognized *nidus* where all new ideas in art are fermenting. In many of these efforts after a new

type I recognize some of the most hopeful signs of our time. Especially is that true of those poetic efforts to combine fact, beauty, pathos, and reality in the aspect of common things and lowly lives—which may be said to culminate in the *Angelus*. Here is the true path. But amongst these new groups, raging to be “original,” both here and in France, there are some to whom beauty—nobleness of aspect or of feeling—even decency—are a mockery and an offence; some whose ideal it is to be dull, or to be eccentric, or to be brutal. For such there is no hope in this world or the next.

FREDERIC HARRISON.

HALF A MILLION DOLLARS A DAY FOR PENSIONS.

IN preparing the budget of appropriations for the fiscal year commencing July 1, 1893, the Appropriations Committee included one item which startled the country—\$165,000,000, for pensions.

From the fiscal year beginning July 1, 1889, this item has steadily increased. It was for that year \$80,500,000; the next year \$97,000,000. The "deficiency" to be provided for at the end of each year also became startling—\$25,000,000 in 1889, and \$29,000,000 in 1890. For the year commencing July 1, 1891, it had been supposed that the appropriation, \$133,000,000, had sufficiently discounted any probability of deficiency; but when early in 1892 nearly \$8,000,000 deficiency was called for, and \$145,000,000 asked for pensions for the next year, the country was roused to the character of the legislation under which half a million dollars a day were distributed on account of the war that closed nearly thirty years before. For the first time it awoke to the fact that our peace establishment for pension purposes was a greater financial burden to us than is the expense involved in keeping a great army on a war footing to any of the great powers of Europe. The item was one which from its extraordinary character admitted of no comparison—the largest single appropriation ever made for government expenditure on the face of the globe.

This vast appropriation of \$145,000,000 was sharply criticised, and from every quarter of the land came well-meant suggestions that it might have been fixed at a lower rate. Its amount was, however, justified by the calculations of the Commissioner of Pensions; and after the first surprise the country seemed rather pleased than otherwise to believe that so large an appropriation had been made in advance that this time no deficiency could occur.

But worse was to come. When in January, 1893, the Committee on Appropriations was preparing the budget for the next year there was presented to it a requisition for \$10,500,000 deficiency for pension expenditures for the then current year. The Commissioner of Pensions attempted to explain the discrepancy, but with the re-

sult of demonstrating that the real deficiency was some \$14,000,000, and that under then current circumstances the amount required to meet pension payments would be about \$172,000,000 during the next year. Again the country was startled and the members of the Pension Committee were called upon for an explanation. They vouchsafed but little in the way of prophecy, but from the accounts of the Pension Office demonstrated that the figures named were not too large; and, quoting from the Commissioner's testimony of 1892 and its explanation and falsification by the result of the year's work as stated by him in 1893, they admitted their inability even to approximate the depth of the financial slough into which we were sinking. The country, on the other hand, began for the first time to appreciate how reckless, how serious, and how impossible of estimate was the legislation which in an interval of reaction had been fastened upon the country by the party it had now just repudiated for the second time.

Now for the first time do accessible data and adequate public attention coincide to make possible public consideration of the prodigal waste of public treasure upon which we have entered.

The sources of uncertainty in calculating in advance probable future expenditure should perhaps be briefly touched upon. Omitting various details, these estimates have been made and popularly accepted on the following plan. Under the pension laws prior to 1890, the system had become practically settled so that its annual result, as varied mainly by deaths, on the one hand, and the additions of more widows' pensions on the other, could be approximately calculated. Under the law of 1890, however, hundreds of thousands of claims have been filed which yet await adjudication. But even as to these experience had suggested data which appear, and have been assumed to be, fairly trustworthy—at least calculable. It had been estimated that we should need \$125,000,000 for pension expenditure during the fiscal year 1892, and possibly \$150,000,000 for 1893, while, for 1894, there would be so substantial a reduction as to bring it below that for 1892, while that for 1895 would be still lower, and the pension account would thereafter gradually diminish for a generation to come.

But the experience of 1891 demonstrated that even these calculations were erroneous, and the testimony lately given of the ex-Commissioner of Pensions shows how untrustworthy they were from the beginning, and, more than this, how uncertain in everything but

the enormity and lavishness of our pension expenditure are all calculations for the immediate future in such regard.

It is necessary to call attention to but one source of this uncertainty. In six months, from July 1 to December 31, 1892, there were allowed under the act of June 27, 1890, original invalid war claims 42,497 and navy 1,821, with *eight* claims for increase. On December 10, 1892, there were pending under the same act 124,317 original invalid claims, and 231,921 claims for increase. It will therefore be seen that, not merely for years to come will the adjudication of original claims continue; but that the granting of an original claim is in general promptly succeeded by the filing of a claim for increase, and that these claims for increase, scarcely touched as yet, have already accumulated to such an extent as to involve uncounted years and untold millions of expenditure; while, under the act of 1890, as the original pensioners die, their younger widows will succeed them as the wards of the Government; and as yet there have been offered no criteria from which can be estimated either the time or the treasure required to settle the accumulating claims.

There are other factors of uncertainty; but enough has been said to explain, as far as it can be explained without detailed calculations, my conviction, in which I am not alone, that, if our pension expenditure for the year for which we are next to provide falls below \$200,000,000, it will be on account either of a radical purging of the pension rolls, or of a radical reform in the practice of the Pension Office, or of a radical amendment of the law; and that unless checked by one or all these methods, the expenditures for the next few years to come will average but little, if any, less than \$200,000,000, and for a long time thereafter will approximate the extraordinary figures of the present year. The rate at which the "annual value" of the pension roll, that is, annual payment involved after settlement of arrears in each case, has steadily increased of late is significant. On June 30, 1889, it was \$64,246,000; on June 30, 1890, it was \$72,052,000; on June 30, 1891, it was \$89,247,000; on June 30, 1892, it was \$116,879,000; and, according to the present estimate of the Pension Office, on June 30, 1893, it will be \$133,500,000, payable to 1,000,000 pensioners.

It is not necessary to go at length into the unpleasant details which show how largely tainted is the pension roll with fraud, or how serious a burden is thus loaded upon the industry and enterprise of our citizens, not to speak of the demoralization produced by such part of the

expenditure as goes to support unmeriting dependence. The contrasting figures of the longevity demonstrated and the decrepitude claimed are a sufficient demonstration of fraud, the financial crisis in which our government finds itself, and the fact that at the end of thirty years we are studying means to enlarge our revenue, just as thirty years ago we were doing the same thing to carry on the war, is a sufficient evidence of the burden. Of the consequent demoralization, the records of every hamlet in the Northern States and of many in the South, the blatant appeals of demagoguery inspired and organized by the swarm of pension beneficiaries, who are too conscious of their lack of merit to speak in their own name, and the abjectness—after all allowance is made for the promptings of generosity and patriotism—of the political conventions of all parties in this regard—all these are but too sufficient proofs. The question is not as to adequate recognition of those whose patriotic service entitles them to consideration, and whose injuries received in service entitle them to recompense; nor is it one of remembering by national bounty the mothers and wives who sent their loved ones to the field, or the orphans who were bereaved that our country might be preserved. All are agreed in generous treatment of these. But we are forced to consider how far organized greed shall be permitted to impose on patriotic sentiment, how far conspiracy to defraud shall continue to be shielded, and how far the marriage relation itself shall be permitted to be misused for gain. The situation calls for a remedy. What shall it be? I believe it should be three-fold: the pension rolls should be purged, pension procedure reformed, and pension legislation amended.

I.

As to the Pension Procedure: no one will deny that, in cases where those have crept by fraud upon the pension rolls who had no right to be there, they should be stricken off. There are now known to be thousands of impersonators of brave men under whose names they have skulked; perjurers who have magnified or forged bodily ailments, or who have attributed to the service injuries and diseases known to have been received or contracted elsewhere; "relicts" who never knew the soldiers in whose name they ask relief from the Government; mistresses, who never dared take the name of their paramours until they were dead; "pension jumpers" of both sexes, who are drawing two, three, or more pensions at once under different

names, and lastly, and in increasing numbers, widows who were born after the war, on account of their husbands' service, and who claim to be special wards of Government. These, in addition to the even more numerous cases where the practically *ex parte* procedure of the Pension Office has made the Government the inevitable victim of exorbitant or unfounded claims, are some of those to be dealt with.

This is no place to go into details. Many useful suggestions have been made, which might largely remedy the evil complained of. It is obvious how effective would be the publication of a complete pension roll to secure in a thousand ways the proffering of evidence that could otherwise not be obtainable, and the facilitating of researches that would otherwise be impracticable. This should be published, arranged according to the present residence of the pensioners, giving, among other data, the name, age, and description of each and brief memoranda of the time and place of his enlistment, service claimed, full statement of the causes for which an original pension or an increase was allowed, and a memorandum of the monthly rate or rates of pension he is and has been receiving, as well as of the dates from which these rates have been obtained, and the lump sums, if any, paid for arrears, commutation or otherwise. If this were supplemented by the appointment of a corps of expert examiners, under the direction of the Pension Office, to work upon such suggestions as analysis of the rolls or information received might prompt—this to be continued until the entire roll had been thus checked, and each pensioner being furnished a certificate bringing down to date all examinations and verification of his claims and status,—the result would be not merely to strike from the pension roll many cases which now disgrace it, but to stir an enlightened public opinion that would force the voluntary withdrawal of many a little-deserving, though self-respecting dependent, and to check to a far greater extent the growing tendency to make the desire for a pension the essential, and the manufactured proofs an incident. And perjury, even for a friend and although it was intended to harm only the Government, would again be considered a crime, to be avoided by the good citizen.

Great and necessary as is this reform, great and beneficent as would be its results, so impossible is it to right matters of this kind, after years have destroyed evidences of fraud, that the remedy thus secured must necessarily be incomplete. In spite of all the state-

ments which experts have carefully made involving the conclusion that, even under our liberal laws, from one-fifth to one-fourth of our present pensioners should never have been admitted to the pension rolls at all, and at least one-third of those properly there are so grossly mis-classed as to be practically fraudulent pensioners; yet I have heard no one confidently estimate that more than 10 per cent—I myself believe that the total would sink probably to 5 per cent—can be weeded from the rolls by any such process, or that more than half of those actually mis-classed could be effectively re-classed; so that upon the other two expedients—as aided by the effect of this—we must depend for our principal measure of reform.

II.

Our pension procedure should be revolutionized, and from what has become mainly an *ex parte* proceeding carried on at arm's length, it should be changed to a litigated procedure with careful provisions for aggressive defence of the Government; and, except under such scrutiny and opposition as a plaintiff meets in prosecuting a defendant before a jury, the Government should not be mulcted to pay a pensioner. The necessity of this reform is a steadily increasing one; and even the present great need of it, demonstrated by the condition of our pension rolls, is far less than will be more and more felt in the future. So long as regimental and company officers and staff and hospital surgeons were in large measure still survivors; so long as pension claimants generally resided in the same locality as those who had known them from boyhood and who had been with them in the service; so long as veterans were generally free from infirmities and accidents, the results of which accumulate with years—pension procedure, while lending itself more and more to fraud as time went on, was comparatively adequate, the natural and most conclusive evidence comparatively easy to secure, the occasions for the consideration of less trustworthy data more rare, and the facilities for testing even hearsay evidence more generally such as to discourage fraud and deter from perjury.

But for the last ten years the proportion has rapidly increased of cases where, in default of the testimony of a responsible officer or surgeon, or by reason of the death of such as would naturally have been relied upon, it has been necessary to accept statements by comparatively irresponsible persons. The fact that the claimants have more largely drifted away from the localities where they were known,

and that their testimony is therefore now frequently gathered from sources widely distant alike from each other and from the residence of the claimant, reduces almost to zero what otherwise might have been the certainty of exposure of frauds, which, on the contrary, are now comparatively safe even from question; the proportion has greatly increased of those who demand special consideration on account of accidents or infirmities received or contracted either before enlistment or after discharge, and whose physical condition is now a much better apparent basis for a claim for pension, on account of disability alleged to have resulted from service, than it would have been a few years since.

Similar considerations apply with much greater force to the present claimants of widows' pensions. Until lately widows were mainly those who before the war had been the wives of the soldiers in whose name they made claim, and had resided ever since in the communities whence came the proof of their widowhood. But of late the aggregate of cases has increased year by year, where designing girls have yoked themselves to decrepitude to secure public support for the rest of their lives, or where irregular life is afterward preferred to marriage in order to retain the thus bedraggled pension, or of claims either based on relations such as the dead veteran would have been first to disown as justifying the use of his name or false throughout and in favor of women who never saw the soldiers for whom they weep. It has increased until the proportion of unworthy claims has grown into a national scandal; and the rarer, but still numerous, cases of fraudulent personation are facilitated in still greater degree.

From the thousands of fraudulent cases, the trails of which are being found on every hand, I cite a few, not of the extreme, but of the typical, classes—this, not so much as proofs in themselves that the pension roll should be purged (for under any circumstances there would be frauds perpetrated) but rather as illustrating the nature of the strain, to resist which our pension procedure should be buttressed more strongly than it is. As to the fact that there are edging themselves into our pension rolls an increasing number of those who are fitter subjects for the grand jury, and that our pension procedure has of late years effectively barred out only those who are themselves self-respecting and candid, the knowledge is too common, and flagrant examples are becoming all too numerous and notorious, to need mention here.

In one of the cases before me a soldier received three pensions,

each on a different pension certificate, and this without fault or effort on his part, but through the officious solicitude of pension agents; and before it was discovered, and the claimant limited to one pension (to which he was entitled), the Government had lost \$1,500 thereby.

In another case a soldier enlisted, leaving a wife and two sons at home, and returned to his family after the war. Later he deserted them, lived in adultery and applied for a pension, which was granted after his death. His mistress claimed the accrued arrears, some \$1,650, and after the ordinary proceedings before a special examiner, they were awarded to her. The widow afterward made a similar application and was also awarded the arrears, which were thus paid a second time. In all the Government lost here about \$3,000.

In another, a soldier who was pensioned in 1877 for a wound alleged to have been received in battle in 1862, was found to have actually received in Germany the injury for which he had been pensioned here—this, after the Government had lost some \$2,000 by his fraud.

In another, a veteran pensioned for rupture was proved to have been so affected before the war; and on examination it was found that he had been personated at the original muster-in by a physically sound man, whom he had hired for \$25 to take his place for the occasion. The pensioner was removed from the rolls after his crime was discovered; but the Government had already lost \$2,000 by him. The pension he fraudulently secured was at the rate of \$8 per month. Since the law of 1890 he has renewed his application and is now the ward of a grateful Government and receiving \$12 a month for total disability (from the rupture which occurred before he enlisted and to conceal which and to get into the army at all he suborned perjury).

In another, a soldier who had been discharged from the service seven months after his enlistment, on a surgeon's certificate that he was incapacitated by fracture of his arm long before he enlisted, applied twenty years after for a pension. He suborned two comrades, who swore that he received his injury while in the service, and four tramps, who swore that they knew him well at the time he was enlisted and that he was then sound. To all this on indictment he pleaded guilty, and served out his time in the penitentiary; and then applied for and secured a pension of \$8 a month under the act of 1890.

The following cases arose thus:—

Section 4708 of the United States Revised Statutes provides that

"on the remarriage of any widow . . . her pension shall cease," and a later statute voids the pension in case of open and notorious illicit co-habitation. The latter is obviously so much more difficult of proof than re-marriage that the law gives a premium to crime. The extent of this can be imagined when it is noted that in a single county of one of our Middle States, having a population of 84,000, where special inquiry was made on this point, there were found four families of illegitimate children, of eight, three, and three children and one child, respectively, whose fathers and mothers were living and whose mothers were drawing widows' pensions. In two of these cases, upon the pension being stopped, the parents of the children promptly married.

To enter upon the details of reform in mere matters of procedure would be as much out of place here as it would be impracticable in a brief space. It is evident that secondary evidence should be more strictly defined and classified, and that such evidence itself should be more closely scrutinized. In this respect, such has been the perverse development of pension procedure that, as the necessity for strictness has increased, the laws have been relaxed. For example: of late years pension proofs have become more and more matters of *ex parte* affidavit, as to matters of which there is no record. Subornation of perjury has thrived, and even the remote possibility of punishment in case of conviction was destroyed, as to those who choose to protect themselves, by the law of July 1, 1890. This suspends the requirement that the official character and genuineness of the signature of a notary taking an affidavit should be properly attested. Any one can now have a seal manufactured for two or three dollars, bearing his own name or an assumed name, and, to his heart's content, either forge affidavits or certify to false ones—all of which will be accepted by the Pension Office—without even giving a clue to his own identity, and with perfect confidence that no one executing an affidavit before him can be convicted of perjury. This very effect of the law is, however, doubtless the object with which its passage was procured.

A proceeding on a claim for pension should be made a "litigated" one against the Government, to be defended by its officers. And, while pension agents are not fair subjects of general arraignment, there is every reason to believe that a most radical reform in pension procedure would be effected, legitimate pension claims more promptly advanced, the fees saved to worthy claimants which they now pay pension agents, and millions of money and more in self-respect

saved to the nation every year, should no one be allowed to receive fee or reward from the claimant, or on his behalf, in connection with a pension claim, and no claim be recognized except when presented through special United States pension officers, appointed at fair salaries for such purpose, who should have offices in every quarter of the country and at every considerable city, and who, with liberal allowances for correspondence and investigation, should serve all pension claimants without charge.

III.

Our pension laws should be amended. And under this head of pension laws I include as well their interpretation by the Pension Office. As to the precise features of the amendment desirable, there will be as great difference of opinion as, when the facts are appreciated, there will be substantial agreement on the suggestion that the pension roll should be purged and pension procedure reformed. Several important points, however, are certain to be mooted.

(1) The construction of the law by the Pension Office has been scandalously liberal. Of this one example will suffice: The law of June 27, 1890, provides that, when suffering from mental or physical disability which incapacitates them from the performance of manual labor in such a degree as to render them unable to earn a support, veterans shall be entitled to receive "a pension of not exceeding \$12 a month and not less than \$6 a month, *proportioned to the degree of inability to earn a support.*" The Pension Office has practically rejected the italicized stipulation, except in cases where its own arbitrary methods do not apply; and, in defiance of the express provision of law, has ruled that any disability, not received in service, shall be pensionable under the law of 1890 at the same rate (not to exceed \$12 per month) as it would have been under the former law, had it been received in service; and this without regard to the extent of the inability or incapacity for manual labor thus caused.

To illustrate: Loss of both eyes, incurred in service, was pensionable under the old law at \$72 per month; the same loss, if incurred by accident after discharge, is, under the law of 1890, properly considered as a total disability and pensionable at \$12 per month; but a stiff shoulder joint, the loss of sight of one eye, the loss of a thumb and index finger from one hand: either of these, being pensionable under the former law, if incurred in the service, at \$12 a

month, it is ruled by the Pension Office that it constitutes a total disability under the law of 1890 and is pensionable at the same rate as total blindness—though the pensioner may be in robust health and actually earning his living by manual labor.

When this principle is applied, as it is by the Pension Office, on the cumulative plan, the process develops from fraud to farce. For example, a claimant who has established to the easy satisfaction of the Pension Office a slight deafness in both ears, the loss of a small toe and a little finger, and a tendency to catarrh, will be pensioned for total disability at \$12 a month as follows: for the slight deafness, \$6 a month; for the little finger, \$2 a month; for the small toe, \$2 a month, and for the incipient catarrh, \$2—in all \$12 a month. Petty bodily ailments are by analogy so rated and compounded that a man is rare, no matter how robust, who cannot find in his anatomy an assortment of defects or diseases, which, though scarcely inconvenient, can be aggregated, at \$2 or \$4 a month each, into a pension of \$12 a month for total disability.

To amend this construction of the law is, however, but a beginning of the reform that can alone save our pension system from becoming an increasing disgrace.

(2) It is bad enough when really needy veterans—even those who were skulkers or bounty jumpers, or afterward convicted of criminal fraud on the Government, and even though their assorted ailments added together to make up a round monthly allowance are largely imaginary or wholly unconnected with the service—are made pensioners on the generosity of our people; it is even more an anomaly when tens of thousands in sturdy health, earning their living by manual labor and more than holding their own in the rivalry of life—even serving as efficient and fully paid Government officials—are in regular receipt of full pensions for total disability, not pretended to have been incurred in the service. But it is worse when to these conditions is joined wealth; which in the case of other tens of thousands—who do not even claim disadvantages resulting from service, whose income, without reference to their manual labor, is such as to assure them a comfortable living—does not prevent their quartering themselves on the nation's forbearance. One needed reform is that which shall rid us of the burden of wealthy as well as of sturdy beggars. It is those who vociferously deprecate the compelling of a veteran, who has not been injured by service, to prove necessity before being awarded a pension for his support, who are really black-

ening the blue and insulting the flag. Poverty is no disgrace; but it is a dishonor needlessly to become a public burden, and necessity is the one excuse which the self-respecting man should be permitted to offer—and the one which the less sensitive applicant should be compelled to prove before being allowed to put himself in this position.

(3) But there is an even worse feature of our present law than those just noted. Under laws prior to those of 1890, on the decease of the pensioner, his widow, and under the law of 1890, on the decease of one who served for ninety days, his widow if married to him before June 27, 1890, is entitled to a pension—in each case to cease upon re-marriage. It will be observed that in the first case there is no limitation as to the time of marriage. It is certain that, unless the law is promptly modified, the illogical discrimination against the others will be abolished.

So long as the promises made to promote enlistment were kept in mind—during the years when, as never since, our legislation was directed by the deserving veterans themselves—such legislation as that just noted was undreamed of; and only to those who, being married before the close of the soldier's service, shared in the sacrifices and risks which that service involved, was recognition given by those who best knew the pledges under which they went forth to battle. The laws of 1882 and 1890 were, however, on the contrary, mainly inspired by the greed of claim agents and the mercenary patriotism of *post-bellum* combatants. The laws which soldier-legislators placed upon our statute books recognized the heroism of wives and mothers who sent their loved ones to the front in their country's peril. The later laws, the object of which is to guarantee the profits of pension business for an additional generation, are marshalling year by year in attack on the Treasury hundreds of thousands of youthful women, who link themselves to advancing age in order, as the grave closes over their bondage, to be supported by the Government on terms which obstruct their re-entrance into the most natural and most honorable career vouchsafed to woman.

Comment is as needless as painful. As to what we must expect, the fact that we now have on our pension rolls more than 6,600 widows of soldiers of the war of 1812, while there are only 165 of such soldiers surviving as beneficiaries in their own right, may indicate how serious is the problem we are considering. The least reflection suggests probabilities too repulsive for statement; the most cursory

inquiry develops them into facts; the most conservative calculations show that we have developing among us a national scandal that will make all prior ones forgotten. Radical amendment of the law can alone avert it.

Such is the financial, political, and moral abyss on the brink of which we stand. It is encouraging to note that the signs of effective reform are multiplying about us. From all parts of the land have come more and more frequently for the last few years indications that the people are appreciating and will renounce the system that is responsible for present conditions. In Congress the campaign has already opened with a pitched battle. In the Pension Office itself, in minor matters the procedure has lately been improved, and as to others it is now under consideration. And now, in the one quarter where conviction on this matter will be most respected—the ranks of the veterans themselves—is stirring the spirit that bids fair to lead in averting disgrace now as it did disunion a generation ago. That into their ranks have crowded themselves too many who do not deserve to be there may embarrass, but it will not divide, the men who had to do the fighting before.

The issue is being joined all along the line on the resolution recently adopted by Noah L. Farnham Post of the city of New York.

To fear for the results would be to doubt the patriotism of our people. As says the "Grand Army Gazette":—

"No American can afford to neglect this important matter. With a pension roll greater than the number of men in the field at the close of the war of the rebellion—and most of those lie in honored graves—and with an expenditure of over \$160,000,000 a year for this one item, it behooves those interested in the real veterans, and the tried and true veterans themselves, to be up and doing. . . . Every dollar paid in fraud is stolen not alone from the patient tax payer, but from deserving veterans. Strike, Comrades! while the iron is hot, and if it should sear some bogus claimants so as to leave a mark by which they may be known of all men, there will be no cause for regret."

JOHN DEWITT WARNER.

THE DECISIVE BREACH IN THE GRAND ARMY.

IN the increasing agitation for a revision of the pension-roll, for a change in procedure in granting pensions, and for legislation that shall check abuses, one of the most important questions that must soon be answered is, What position will the Grand Army of the Republic officially take? Time was sure to bring occasion for such a question to be asked; time has, indeed, brought not only an occasion but a necessity for an answer.

Nearly ten years ago freedom of declaration about pensions by separate Grand Army Posts was forbidden. At that time, however, when pension abuses were comparatively rare and the Government expenditure for pensions was comparatively small, the subject attracted no attention. It was at the National Encampment at Minneapolis that the following resolution was adopted, on July 25, 1884:

"Resolved, That all petitions, resolutions and memorials by Posts in regard to pension legislation be required to be forwarded to National Headquarters through Department Headquarters, and that Posts be forbidden to make separate and independent applications to Congress for legislation upon the subject of pensions."

This resolution and the question it raises, which have slumbered till now, have been brought forward by a controversy between the Department of New York and the Noah L. Farnham Post, No. 458 (of New York City), Department of New York, Grand Army of the Republic. This Post adopted and sent to other posts the following resolution on March 8, 1893,—a resolution that admirably states the case of pension reform:

"Whereas, The only veterans entitled to pensions are those who, by wounds or disabilities incurred in the service of their country, are prevented from earning a living in their respective callings, as they might have done had such wounds or disabilities not been incurred, and whose circumstances are such as to justify them in calling on the country for aid or support, and,

"Whereas, The Grand Army of the Republic is an association organized for the purpose of enabling old soldiers and sailors to take care of themselves and each other, and,

"Whereas, As much real patriotism may be shown by refraining in time of

peace from inflicting unnecessary burdens on the country as by coming to her defence in time of war; therefore, be it

Resolved: That any old soldier who applies for or accepts a pension, except under the conditions above set forth, is, in the opinion of this Post, guilty of conduct calculated to injure the good men who were and are willing to give their lives for their country without any reward save the approval of their own conscience and that honorable fame that is due to every patriot."

In less than a month after the adoption of this statement and resolution—on April 7—the Department of New York began to discipline the Noah L. Farnham Post. The Assistant Adjutant-General of the Department wrote to the commander of the Post that the resolution had provoked "many protests from Posts in this and other Departments." The Farnham Post and its commander were declared to be "in contempt of the laws of the order," for "sending a series of resolutions direct to Posts without the approval of the Department Commander and National Headquarters," for "criticising the legislative power of the country in passing laws which stand in the statutes of the United States and should be respected until repealed," and for "condemning the sworn officers of the Government whose duty it is to execute these laws." The letter closed with a threat of suspension.

With regard to the disobedience of the Post in sending resolutions to other Posts without the approval of the Department Commander, the Post subsequently expressed ignorance of the Minneapolis resolution. But the assertion of the Commander of the Department of New York—and this is the gist of the matter—that Farnham Post is held in contempt "for criticising the legislative power of the country" and for "condemning the sworn officers of the Government" is an admission of a spirit, if not in the laws of the organization surely in their interpretation, that forbids freedom of discussion of this subject. For a parallel to this spirit one must recall the certainty with which the mention of the "peculiar institution" of the South in the days of slavery touched Southern politicians to the quick.

To take up the course of the controversy: To the foregoing letter from the Department of New York to the commander of Farnham Post, the commander of the Post replied on April 12, "*that it is the opinion of this Post that if it is the desire of the Grand Army of the Republic to pay pensions to people who have not incurred their disabilities in the service of the country and to those who do not need them, then this Post does not desire to remain in the Grand Army of the Republic.*" The answer that came to this was a "Special Order"—No. 15, sus-

pending the Post, but giving it an opportunity to "purge itself of the offence" and to show why its charter should not be annulled. The Post paid no heed to this communication. It sent no representative to appear before the Council of Administration to prevent the annulling of its charter.

When the Council of Administration held its session at Albany, the charter was not annulled. Instead, another "Special Order"—No. 18—was issued by the Department. The "order" reviewed the controversy and expressed the "hope that suspension may be sufficient to recall said Post to its duty." The Post was required at an appointed time to show cause why its charter should not be annulled. Meantime the Post "is permitted to meet, and take such action as may be necessary and proper for it to prepare a defence to be presented at the next meeting of the Council of Administration, but not for any other purpose." But "if the said Post should desire to recall the missives it has sent on the subject of Pensions to the President, and to the Senators and Representatives in Congress, and the several Posts of the Grand Army of the Republic, leave for that purpose may be applied for to the Department Commander."

The next chapter of this correspondence is a letter dated April 26 from the Commander of the Post to the Commander of the Department of New York, in which occurs a declaration of independence on the forbidden subject:

"Our resolutions . . . call attention to the fact that owing to the enormous number of names that have been fraudulently placed upon the pension roll, the country is beginning to look askance upon the whole system and that the Grand Army of the Republic is beginning to fall into disrepute owing to the opinion generally entertained, and growing stronger every day, that it is in danger of becoming a mere tool in the hands of the pension-agents. We thought that it was time for some one to get up and say that there were some members of the Grand Army of the Republic who were not in it for revenue only. There could hardly be a stronger demonstration that our views were correct than the very resolution of 1884, to which you refer us. What harm can the public expressions of the views of old soldiers in regard to pensions do anybody but the claim agents?

"In addition to our desire to have the fraudulent claimants taken off the rolls, we also state that we are opposed to paying pensions to people who do not need them, who are otherwise in comfortable circumstances, and to very young widows who marry very old veterans for their pensions. We leave the details to be arranged by Congress.

"In forwarding this copy of our resolutions to you, we urge you to send a copy to each Post in this Department, asking the following questions:

"I. What is your opinion in regard to paying pensions to people whose disabilities were not incurred in the service of the country?

"II. What is your opinion in regard to paying pensions to people in comfortable circumstances who do not need the pensions for their support?

"III. What is your opinion in regard to paying pensions to women who have married veterans over sixty years of age?

"An answer to these questions would be of great service in assisting Congress and the people to form a correct idea of the attitude of the Grand Army of the Republic towards this interesting question.

"I should also be very glad to have the opinion of the Department in the matter and I enclose a duplicate copy for transmittal to National Headquarters with the earnest request that a copy of our resolutions and of this letter may be sent to every Post in the Grand Army of the Republic. I am firmly convinced that the good men do not approve of paying pensions to frauds, to bondholders or to giddy young widows who can take care of themselves."

And so it stands. A strong and manly and vigorous Post of the Grand Army of the Republic is suspended for expressing an opinion of pension-laws that is creditable to it, for restating in fact the only sound principle on which pensions ought to be granted. If its charter be annulled, the Grand Army—at least the Department of New York of the Grand Army—will condemn by deliberate official action the free discussion of this latter-day "peculiar institution."

The old gagging resolution of 1884 was quietly adopted at Minneapolis, and is now used as an excuse. It was not discussed thoroughly if at all. It stands, however, as a muzzle on the free discussion of pensions by these organizations. So long as it so stands, any Post of the Grand Army that indulges in free discussion of pensions and publishes its discussions will court the punishment that has been visited on the Farnham Post. The Farnham Post has, therefore, raised the question whether or not a free discussion of pension-laws is permissible by Grand Army Posts, and the Department of New York must answer.

It is interesting to review some of the preceding incidents to this controversy. More than three years ago this same Post—Noah L. Farnham Post—adopted a resolution to the same effect as the resolution of March 8, 1893, expressed indeed in almost the same language. No official notice was taken of the resolution, but many letters were received from individuals—letters such as these:

(One) "Noah L. Farnham Post No. 458 has entitled itself to the admiration and gratitude of every true and deserving Veteran and of the Country at large by its manly and patriotic action in reference to pensions."

(Another) "I have just read the Resolutions passed by the Noah L. Farnham Post, G. A. R., which to command, you have the very distinguished honor. Your children and grandchildren will thank the lucky star that connected your name so honorably with these resolutions, which, considering the drift of what

is usually called public sentiment, must be counted among the most high-minded and patriotic utterances of these days."

(Still another) "I served three years and seven months in the Army of the Cumberland but have of late been ashamed to acknowledge it, for the reason that our side is not represented and we are looked upon as all of one class. Cannot some plan be adopted by which soldiers who think as you do may be known and heard? In that way we might let the world know, before we pass out of it, that we are not all mercenaries, but that some served the Government for love of it."

Last year moreover the Department of Pennsylvania raised a similar protest; so also did the George Washington Post, 103, Department of New York. Official declarations, therefore, similar to the declarations by Farnham Post have before been made. But Farnham Post has so brought the question of the right of official expression to a focus that the Grand Army cannot escape making confession.

So much for official action. As to individual action of Grand Army men, which no resolution can control, it is the belief of the members of those Posts that have taken this action that if the entire membership of the Grand Army can be brought to vote individually on a proposition to amend the pension laws and sweep away the abuses, it will be found that a large majority of the men will co-operate with these organizations and declare definitely and unmistakably for the good name and unblemished fame of the whole Grand Army of the Republic. Every man who feels his rightful independence as an American citizen, every man who has the courage of a veteran defender of his country, is now called upon to make himself heard on this question and to make his opinion felt.

I recall with great satisfaction that in April, 1889, I wrote a paper on "The Duty and Reward of Loyalty," moved by the disgraceful traffic then carried on by pension attorneys and politicians, trading upon the honorable services of loyal citizens and the gratitude of a sympathetic people. Complying with the suggestions of a number of my comrades I read it at Takoma Park, D. C., July 4, 1891, and afterwards printed it in pamphlet form. At the request of THE FORUM I wrote an article which was published in December, 1891, under the title of "Degradation by Pensions: the Protest of Loyal Volunteers." Because of these utterances experience has taught me how readily those engaged in plundering the public Treasury under the forms of law ascribe other than patriotic motives to him who by public criticism directs attention to their methods and actions. These publications have brought me words of cordial approval and

congratulations from loyal volunteers in all sections of the country, North, South, East, and West, and also from honorable ex-Confederate soldiers who are proud of the courage, prestige and high worth of the men with whom they contended. Words of abuse and ridicule, no less than the words of approval, which my presentation of the subject has called forth, sustain the affirmation that it is perfectly feasible to revise the pension laws on the lines herein indicated, not in opposition to, but in compliance with the expressed wishes of a majority of the loyal citizens now living who entered the service of their country in its army or navy without receiving a bounty for their enlistment.

If money were the only factor involved in this question I would not discuss it. The pension question cannot be discussed rightly unless the money involved is entirely omitted from the consideration. It must be assumed that no ex-soldier wants more than justice can give him, and that the people stand ready to pay all that justice demands. He who would demand more and he who would pay less are alike unworthy of notice. It is for the restraint of such as they that laws for the safety of life and property are enacted. A just measure is always a sound economic measure.

Correctly to settle the pension question, with honor to the nation and with honor to pensioners, is the peculiar privilege and special duty of all who are united by ties of comradeship to the living and the dead, of the Grand Army of loyal citizens who volunteered, without receiving a bounty for enlisting, to defend the nation and preserve the Union. They did their duty in the true spirit of patriotism, unbought and unbribed. They have earned the right to speak with authority upon the pension question because of their services, and because their silence has been construed as approval of the doings of pension attorneys and politicians, who, to gain their own selfish ends, have not hesitated to fasten upon the loyal defenders of their country the only mark of disgrace they bear.

It is now in order for every member of a Grand Army Post or other Army organization to take the statements, resolutions, and questions of the Farnham Post, and, after giving due notice of his intention so to do, offer them for adoption in his Post or Army Society; and further, to secure a record of individual opinion, by heading a paper with one or all of these propositions and circulate it for signatures. Beyond this, all citizens who honor the men who served their country in its hour of peril without waiting to barter for

bounty, a service it was their duty to perform, and who now wish the glory of their achievements to be transmitted to posterity without being tarnished by the mercenary corruption resulting from millions of pension claims, ought in like manner to secure endorsements for these statements, resolutions, questions or affirmations, from every business or social club or organization and from individuals.

That this call to enlist for the abolishment of the evils of the present pension system may be at once brought to the knowledge of every intelligent citizen, I suggest that every daily and weekly newspaper in this country re-publish these statements, resolution, questions and affirmations and the call for action on the same herein made. In this way the request of the comrade can be complied with who wrote in 1889:

"Cannot some plan be adopted by which soldiers who think as we do may be known or heard? In that way we might let the world know, before we pass out of it, that we are not all mercenaries, but that some served the Government for the love of it."

ALLEN R. FOOTE.

Takoma Park, D. C.

AMERICAN LITERARY CRITICISM AND ITS VALUE.

FIFTEEN years ago, during a visit to Paris, I had the pleasure of spending an evening at the house of Alphonse Daudet. There were half-a-dozen gentlemen present, nearly all of them bearers of distinguished names. An editor of a literary periodical who was among the guests was good-humoredly taken to task by a young author for the capriciousness, the absence of principle, in the criticisms he admitted to his journal.

"Well," he asked, "can you define to me the right principle of criticism?"

"I can," ejaculated a vivacious novelist (though not the one addressed).

"Let us have it."

"'Une main lave l'autre.

Lavez la mienne et je laverai la vôtre.'"

A Homeric laugh greeted this sally; but in the discussion that followed, it was conceded that it was not at all amiss. It described the principle openly, though not avowedly, practised. The editor, though he made no specific admission, treated the matter jocosely and thereby demonstrated that he did not regard the charge as a very serious one.

I have frequently, in later years, been reminded of the above couplet, when reading the criticisms of books in the daily press. The hand that has been washed or is expecting to be washed is often glaringly visible. If it is not the writer's, it is apt to be the editor's or the proprietor's; or that of the latter's interest as embodied in the counting-room. The attention which in nine journals out of ten is paid to a publication does not depend primarily upon its intellectual or æsthetic value, but upon the publisher's relations to the journal, and the amount of advertising which he is able to dispense. I do not contend, of course, that there is anything deeply reprehensible in this. For under the purely commercial view of journalism which in the last decade has become well-nigh universal, a newspaper is scarcely to be blamed for making the most advantageous use of its space,

compatible with the general principles of morality and decency. The mere favor bestowed upon or withheld from an author, for reasons which have nothing to do with literature, is a venial offence, compared to the hideous and debasing sensationalism which daily empties a sewer of moral filth upon the subscriber's breakfast-table. As it is not often that a newspaper makes a feature of literary criticism, the influence which it exerts upon an author's fate is difficult to compute, but in ninety cases out of every hundred, may be put down as a vanishing quantity; while its influence upon the public, whose vision of life is largely affected by its daily *résumé* of the world's doings, is a very appreciable quantity, and a matter of common concern.

An author who has anything definite to say does not sit and squint at his public, while writing; nor does he trouble himself much about the opinion of the press. The value of a criticism depends primarily upon the insight and the intellectual equipment of its author; and where these are slight, or altogether lacking, the power of the verdict for good or for ill is correspondingly small. What, for instance, can it matter to me if an anonymous young gentleman who incidentally confesses to a warm admiration for Rider Haggard, and regards Walter Scott as the grand master of fiction—what can it matter to me, I say, if such a man finds me dull and commonplace? I have never suspended my heroines over the brinks of yawning chasms; nor have I introduced monkeys falling in love with men or men with monkeys; nor am I equal to the depicting of the perennial charms of women two thousand years old. The laurels of romancers who revel in this style of juvenile entertainment never disturb my slumbers; and the opinions of critics who, like the amazing Andrew Lang, take pleasure in such rubbish may amuse me, but influence me no more than the chorus of mosquitoes that hum about my ears, of a summer's night. If, on the other hand, a reviewer, whether anonymous or not, shows himself to be in tolerable sympathy with my aim and my conception of what fiction should be, I read what he had to say, with a critical reservation perhaps, but yet with interest and a desire to profit by his advice. It is always a matter of some concern how your work affects an unprejudiced mind, which approaches it without friendly or hostile bias. And I may as well confess that a cordial and sympathetic review which intelligently seizes your thought and from a kindred point of view develops your merits and shortcomings, is often a source of deep gratification. Praise, unless it is discriminating, and shows maturity of judgment,

has none other than a commercial value; and I sometimes even question if it has that.

A consensus of silence would, no doubt, in the case of an unknown author, kill his book; and would, even in the case of a famous one, prove highly injurious; but (if the opinion of the trade is to be trusted) vociferous and elaborate abuse is, for commercial purposes, scarcely less valuable than praise. It is the amount of attention which a work arouses that, generally speaking, determines its fate. And yet while I am writing this, half a dozen exceptions occur to me which seem to disprove the rule. The late Rev. E. P. Roe never attracted much attention from the newspapers (and the more authoritative journals ignored him altogether); and yet he rejoiced in a popularity which threw all his competitors into the shade. I remember he once showed me some scant paragraphs ridiculing one of his books; and he asked me if I could suggest any explanation of the hostile attitude of the press toward him. I offered a rather lame one, being unwilling to hurt his feelings; for he was a lovable man, of a singularly sweet nature, and the very best of friends. "The fact is," he said, "I can't discover that the newspapers affect the sale of a book one way or another. The people whom I reach read very few newspapers; and I think they are more influenced by their neighbors' opinions than by anything they read."

"What then, in your judgment, determines the success of a book?" I asked.

"Well, I should say its nearness to the life and thought of average men and women," Mr. Roe replied.

"How do you mean?"

"I mean that what the critics call art removes the book from the intelligence of ordinary people. I have been blamed because there is not art enough in my novels. Well, to be frank, there is as much art in them as there is in me. No more and no less. I never try to write down to any one's intelligence; but I write as well as I am able to write, and then let the art take care of itself. No one could have been more surprised than I was at the great success of my first books, unless it were the newspapers; but my explanation is that I happen to feel and think very much as the average plain American feels and thinks, and my manner of expressing myself is such as he, without effort, can understand. When a man does his best, he can afford to ignore the critics."

The above conversation, which took place during a drive in the

neighborhood of Cornwall-on-the-Hudson, lingered long in my memory, because it strongly reinforced an opinion expressed a few years earlier by Dr. J. G. Holland, who enjoyed for a score of years a popularity of the same order and magnitude as Mr. Roe. Dr. Holland, however, took the contemptuous treatment of the critics much more to heart than Mr. Roe apparently did; and the epithet, "the American Tupper" (invented, if I remember rightly, by the New York "Sun"), rankled in his gentle mind. Even though the sale of his books ran up into hundreds of thousands, the tolerant patronage or undisguised sneer of the reviewer remained the drop of gall in the cup of his happiness.

I remember once discussing Dr. Holland's popularity with Bayard Taylor, who was at that time literary editor of the "Tribune" and the most prominent member of the guild of newspaper critics. He professed to regard it as a most mysterious phenomenon; and maintained that popularity and fame were entirely distinct things, the former being by no means a passport to the latter. Without disputing the distinction, I endeavored to suggest a rational explanation of Dr. Holland's hold upon the American public.

"What an author gives in his books," I observed, "is primarily himself—his personality. Now Dr. Holland's personality is a noble and lovable one. I have known no man who has impressed me more strongly with his personal worth—the genuine goodness and sweetness of his character—than Dr. Holland. His writing is a spontaneous pouring forth of his own soul; and the American public—the great mass whom Lincoln called the plain people—recognize the man behind the book, and feel the elevating influence which he exerts."

Taylor, with his German culture and his detestation of the narrow New England Presbyterianism, whose incorporation he saw in Dr. Holland, had no toleration for such a view, maintaining, justly enough, that some of the greatest literary artists had been pretty bad characters; and that it was intellect and the artistic sense, not morality, which entitled a man to a place in the world of letters.

I called attention, in my turn, to his distinction between popularity and fame, and reaffirmed my opinion that character frequently counts for more in the former, as intellect surely does in the latter. And it was not to be deplored that men like Dr. Holland who exerted so great a power for good were the favorites of the American public.

Bayard Taylor, though naturally sanguine, had, as the above conversation indicates, in his later years slight confidence in the

public at large, and still less in his colleagues of the press. It always exasperated him to be referred to (in reviews of his poetical works) as "the great American traveller"; and he felt perpetually handicapped in his later and more serious activity by his early popularity as a writer of books of travel. "My case," he said, "is like that of a sculptor who, on account of poverty, was obliged to make his start in life as a bricklayer. When he had gained the means to supplement his deficient culture, he began to model in clay and make statues in marble. . . . Now, if this sculptor shows himself a worthy member of the artistic guild and produces work of artistic merit, is it fair to be forever saying to him: 'You were such an excellent bricklayer. Why didn't you continue to lay bricks?'" That is exactly what the American public is continually saying to me. I haven't a particle of pride in my books of travel . . . and if I have no other title to remembrance, I shall be content to be forgotten."

When, a few months before his death, he had finished his lyrical drama, "Prince Deukalion," he said to me:

"This poem of mine will, I fear, not mean much to the average American who would like to run as he reads. I am aware that it will appeal only to the few, who have thought somewhat on the same lines as myself. I shudder to think what the newspaper-critic will make of it. Therefore I am going to ask you to do me a favor. Will you write a review of the poem from the advance sheets I sent you—for 'Scribner's Monthly'? Stedman has offered to review the book in the 'Atlantic,' and McDonough in the 'Tribune.' Now let it be fully understood that I don't want you to feel under any obligation to praise. I know that you understand the poem; and I only want you to strike the key-note, as it were, for its interpretation. It is nonsense to say (as many, no doubt, will say) that, if it is worth anything, it will be understood by the average reader without any commentary. For this once, I am anxious to be completely and sympathetically understood. I have never made the least effort to secure a favorable hearing for anything I have written; and I want you to promise, as far as possible, to eliminate your friendly feeling for me. It is not your friendship I need, but your intelligence."

I wrote the review, as desired, after having acquainted Dr. Holland with the author's wishes; but before the February number of "Scribner's Monthly" (1879) reached Berlin, Bayard Taylor was dead.

To me, his anxiety to be understood, and the precaution he took

to secure intelligent comment upon his work, though, perhaps, a reflection upon the newspaper-critic, were not only natural, but commendable. It was because he knew the fraternity so well, and was so thoroughly acquainted with its general intellectual equipment, that he had such serious misgivings. And yet the three men he selected to interpret his thought were all more or less closely identified with the critical guild; and though not professional journalists held semi-official relations to journalism. I was myself, at that time, semi-editorially connected with three prominent publications which were in the habit of sending me books for review; and the experiences I accumulated in this capacity, though they were not all agreeable, I would not have dispensed with for a small fortune.

The dilemma upon whose horns I was always in danger of being impaled was the endeavor to reconcile kindness and justice. I was not one of those who cherish a grudge against a man for having achieved a book; and I dare assert that I picked up every novel or poem that was sent me with a kindly fellow-feeling for the author and a desire to view him in the most favorable light. But frequently, when I had read a page or two, the reflection would obtrude itself that this was after all a very ephemeral performance; and by the time I had finished fifty pages, most of my benevolent intentions would, perhaps, be chilled, and my critical impulses would bristle like the quills upon the fretful porcupine. Had I the right to commend such feebleness—such vague and muddled thought, so clumsily expressed—for fear of hurting the author's feelings? Was I not practising an imposition on the public if I misrepresented the character of a book, and perhaps induced scores of people to buy it who otherwise would have left it alone? I came to the conclusion, after a brief wavering, that I should be doing neither the author nor his reader a kindness in uttering vapid compliments—or talking learned laborious stuff with a view to concealing my real opinion.

I am bound to confess that neither of the three journals with which I was then connected nor any of those which have later engaged my services endeavored in any way to influence my judgment. Never did I receive an editorial hint as to the tone in which I ought to review this or that book. But by a curiously indirect process I was once made to feel that I was too good-natured; and that I was in future expected to be more severe. For in two successive reviews of mine, all the complimentary portions were stricken out, and only the censure was permitted to remain. When I complained of this treat-

ment to a friend, who had had a similar experience, he told me that I must be aware that the journal in question made a specialty of damning. Its traditional tone was one of superior condescension, or cynical forbearance. The man who praised, without some qualifying censure, could not long remain *persona grata* in its editorial sanctum.

He was entirely right; and I have found since that, unless a critic has an intimate and accurate knowledge of the traditions of his paper, he will be sure to run against invisible and unsuspected snags: I know one great newspaper which invariably damns or ignores the publications of a certain publishing house, and (if the report be true) as a rule is predisposed in favor of the books of another. I give this, however, as rumor, not as incontestable fact.

If I may trust my own experience, I should say that a book stood a far better chance of being judged on its merits, ten or fifteen years ago, than it does now. The monthly magazines gave then a large amount of space to "Recent Literature," and they often gave the cue to the more ephemeral publications. I have never ceased to regret the disappearance of the excellent department devoted to "Culture and Progress" in the old "Scribner's Monthly" and the "Century Magazine"; and the "Open Letters" seem to me a poor and inadequate substitute. The idea that the newspaper-critic (because he comes earlier) has the advantage of the magazine-critic and makes him superfluous is, to my mind, a lamentable error. "Harper's Magazine" held, as long as Mr. W. D. Howells occupied its "Editor's Study," a unique position, and contained some of the subtlest, justest and most admirably vigorous and discriminating critical writing that it ever has been my good fortune to read. And, what was more, it was discussed in hundreds of newspapers all over the country, and produced a great and lasting effect. I do not mean to insinuate, of course, that Mr. Howells's successor, Mr. Charles Dudley Warner, is less able and brilliant; but his critical point of view is so alien to mine, that with all my admiration for his wit and his beautiful style, I am unable to do him full justice.

Even "The Atlantic Monthly," which once exerted so great an influence as a literary censor (not to speak of the "North American Review"), has abolished its department of "Recent Literature," while yet devoting from time to time some pages in the body of the magazine to the discussion of important publications. The more credit does "The Cosmopolitan" deserve for maintaining a literary department (under the title "In the Library") which unites finish of style

and a certain epigrammatical snap and sparkle with the keenest acumen and the soundest judgment. I know indeed no wielder of the critical lance in the United States, unless it be Mr. M. W. Hazeltine, of "The Sun," who in point of scholarship, perspicacity and hospitality of mind rivals Mr. Brander Matthews. He does not beat about him with cheap catch-words; nor does he, like so many of his colleagues, assume airs of lofty superiority and pat the poor author on the back, telling him not to be discouraged even if he fails to pass muster before such an august authority as the reviewer in question.

There is, I suppose, an evolution in literary criticism, as in all other human concerns. The process of differentiation which has eliminated the department of "Recent Literature" from most of the monthly magazines, has in this country as in England been instrumental in relegating the book review to special journals. "The Nation," which commands a wide range of expert opinion, has long held a preëminent position and scalped many a rising novelist with a neatness and despatch which could not but challenge the victim's admiration. "The Critic," which is now twelve years old and has long since vindicated its right to existence, is conducted with conspicuous ability; and "The Literary World," of Boston, which counts nearly a score of years, furnishes also an admirably clear and comprehensive survey of the intellectual movements of the age. A younger rival, for which I confess to a considerable predilection, is the semi-monthly "Dial" of Chicago—distinguished for its broad-minded impartiality and scholarship, and a typographical beauty which gives an added zest to the perusal of its bright and instructive pages.

It is probable, however, that with the growing tendency to specialization which is characteristic of modern life, some of these weekly and bi-weekly journals, devoted solely to literary criticism, will continue to grow in authority and prosperity, until they will monopolize the field. It is obvious to every attentive reader that each of the more prominent ones is already acquiring a temperament, as distinct as that of the English "Spectator" or the "Saturday Review." They are accumulating a fine assortment of likes and dislikes (intelligent or unintelligent according to your point of view); they are attaching to themselves a large corps of experts, in the most varied fields, and are gradually attaining the importance, the individuality and the traditions, befitting permanent institutions.

HJALMAR HJORTH BOYESEN.

THE DIMINISHING BIRTH-RATE IN THE UNITED STATES.

THE results of the eleventh census indicate either that the birth-rate was decidedly lower, or that the enumeration of children was much more defective, in the United States in 1890 than it was in 1880, or that both of these statements are partially correct. We have nowhere in this country an accurate and complete registration of births, and the only way in which we can obtain an approximate estimate for the whole country, or for a state, is, at each decennial census, to take the number of children under one year of age found living at the date of the census, and add to this the number of children who died during the census year and who were born during the same year.

By this method we find that the birth-rate per thousand of population in the United States was 30.95 in 1880, and 26.68 in 1890; that is, it has diminished a little over four per thousand.

We know that the figures are not accurate for either census—that a large proportion of the deaths of infants in most of the states are not recorded, and that some of the living infants are either not counted at all, or, if they are ten or eleven months old, they are reported as one year old; nevertheless, as the two censuses were taken in substantially the same way, it is usually assumed that the errors of omission are in about the same proportion in each case, and hence that the results are comparable with each other, although not comparable directly with the figures from those countries which have a fairly accurate system of registration of births and deaths. But such a diminution in birth-rate as the above figures would indicate is so important a matter from many points of view that it is desirable to examine the data carefully, and eliminate errors as far as possible, before accepting the conclusion to which these figures point.

Taking the reports by individual states and territories, we find that the birth-rate has diminished in all of them except in Arizona, Colorado, Montana and New Mexico, for which the figures are: Arizona, 1880, 19.21 per thousand; 1890, 24.94; Colorado, 1880, 21.51;

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1890, 25.09; Montana, 1880, 22.45; 1890, 22.81; New Mexico, 1880, 33.42; 1890, 34.08. In these localities the exceptional increase in the birth-rate is probably due to the increase in the proportion of the number of women of child-bearing ages.

The greatest decrease occurs in the southern states, and the least in the northeastern states. This is shown in the following paragraphs, the first figures after each state indicating the rate for 1880, the second the rate for 1890:—

Maine, 20.72 and 17.79 per thousand of population; New Hampshire, 18.90, 18.37; Vermont, 21.71, 18.51; Massachusetts, 23.18, 21.51; Connecticut, 22.20, 21.26; Rhode Island, 23.88, 22.38; New York, 24.93, 23.28; New Jersey, 27.47, 25.16; Pennsylvania, 28.99, 25.69. Average, 25.57, 23.43.

Ohio, 27.94, 24.08; Indiana, 30.00, 25.29; Illinois, 30.68, 27.63; Michigan, 27.64, 24.80; Minnesota, 33.53, 29.94; Iowa, 31.01, 26.15; Kansas, 34.83, 28.16; Nebraska, 36.59, 29.22; Wisconsin, 30.22, 27.01; Idaho, 28.46, 27.14; Nevada, 22.07, 16.35; Utah, 41.52, 31.20; Wyoming, 27.13, 21.78. Average, 30.34, 26.47.

Delaware, 28.56, 24.89; Maryland, 30.77, 25.87; District of Columbia, 30.71, 23.07; Virginia, 34.88, 27.12; North Carolina, 36.70, 29.91; South Carolina, 37.51, 31.07; Florida, 34.59, 28.30; Georgia, 36.81, 30.31; Alabama, 37.39, 30.39; Mississippi, 37.85, 30.10; Louisiana, 35.28, 29.57; Texas, 40.74, 31.27; Arkansas, 42.29, 33.78; West Virginia, 35.92, 30.41; Kentucky, 34.34, 29.45; Tennessee, 37.35, 30.60; Missouri, 32.54, 28.72. Average, 36.12, 29.72.

California, 23.24, 19.41; Oregon, 28.52, 22.49; Washington, 29.45, 23.54. Average, 24.49, 20.69.

The apparent diminution in birth-rate is, therefore, greatest where there is the greatest proportion of colored population, and also where the enumeration of the population is most likely to be defective.

STATES.	BIRTH RATES PER 1000 OF POPULATION.					
	Whites.			Colored.		
	1880.	1890.	Loss per 1000.	1880.	1890.	Loss per 1000.
Alabama	36.96	31.32	5.64	37.86	29.25	8.61
Arkansas	42.74	34.65	8.09	41.04	31.48	9.56
Florida	34.06	28.09	5.97	35.20	28.60	6.60
Georgia	35.70	29.45	6.25	38.05	31.30	6.75
Louisiana	34.36	29.99	4.37	36.14	29.16	6.98
Maryland	29.24	25.24	4.00	36.04	28.28	7.76
Mississippi	36.63	30.13	6.50	38.74	30.07	8.67
North Carolina ...	35.29	29.79	5.50	38.99	30.13	8.86
South Carolina ...	34.23	28.75	5.48	39.63	32.63	7.00
Tennessee	36.26	30.38	5.88	40.42	31.28	9.14
Texas	40.73	31.53	9.20	40.79	30.33	10.46
Virginia	32.85	26.53	6.32	37.70	28.08	9.62
Total	36.08	29.90	6.18	38.50	30.22	8.28

In the preceding table Kentucky, Missouri and West Virginia are omitted because the distinction of white and colored is not available for 1880. It shows that in the Southern States the apparent decrease in birth rate has been somewhat greater among the colored than among the whites.

Let us now consider the factors from which these census birth-rates are calculated. The entire population of the United States, of all ages, according to the actual census figures, was 50,155,783 in 1880, and 62,622,250 in 1890. Of these, 1,447,983 persons were under one year of age in 1880, 1,566,736 in 1890; 6,914,516 were under five years in 1880 and 7,634,693 in 1890. The proportion at each age per thousand of all ages was as follows: Under one year, 1880, 28.87; 1890, 25.02; under five years, 1880, 137.86; 1890, 121.92. In Alabama, Delaware, the District of Columbia, Georgia, Indiana, Kentucky, Maryland, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Vermont and Virginia, the number of children under one year of age reported as living on June 1 was less in 1890 than it was in 1880, although the total population had increased in each of these states. The number of children under five years of age is also reported as less in 1890 than it was in 1880 in each of these states except Alabama, Georgia and Kentucky.

Grouping the States according to the proportion of children under one year of age found in them at the last census to 1000 population of all ages, we have the following results:

Less than 20 per 1000.—California, 17.92; Connecticut, 19.39; Dist. of Columbia, 19.39; Maine, 16.88; Massachusetts, 19.22; Nevada, 15.76; New Hampshire, 16.86; Rhode Island, 19.94; Vermont, 17.33.

20-25 per 1000.—Arizona, 24.09; Colorado, 23.43; Delaware, 22.47; Indiana, 24.09; Maryland, 23.52; Michigan, 23.38; Montana, 22.06; New Jersey, 22.21; New York, 20.84; Ohio, 22.59; Oregon, 21.78; Pennsylvania, 24.07; Washington, 22.90; Wyoming, 21.05.

25-30 per 1,000.—Alabama, 28.76; Florida, 27.04; Georgia, 28.92; Idaho, 26.26; Illinois, 25.75; Iowa, 25.13; Kansas, 27.02; Kentucky, 27.99; Louisiana, 27.68; Minnesota, 28.20; Mississippi, 28.79; Missouri, 27.14; Nebraska, 28.06; North Carolina, 28.65; Oklahoma, 25.83; South Carolina, 29.53; Tennessee, 29.05; Texas, 29.64; Utah, 29.92; Virginia, 25.57; West Virginia, 29.11; Wisconsin, 25.57.

30 and upwards per 1000.—Arkansas, 32.35; New Mexico, 32.22; North Dakota, 35.10; South Dakota, 31.33.

From this it appears that the lowest proportion of infants occurs in some of the States where it is probable that the enumeration was most accurate, as in Massachusetts, and that in the southern and

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western States the proportion is comparatively high. If, however, we make the analysis in the Southern States with distinction of color, it will be found that there is a marked difference in this respect. Thus in these States, omitting Kentucky, Missouri and West Virginia, for the reason previously stated, we find that of the whites there were, in 1880, 283,797 children under one year old, and in 1890, 296,027, showing an increase; while for the colored, the figures for the same age are, 1880, 198,288; 1890, 180,610; showing an actual decrease, although the total colored population in these States had risen from 5,577,644, in 1880, to 6,343,066, in 1890. It seems probable that a part, but only a part, of the apparent lower birth-rate among the colored in these States was due to a more defective enumeration of colored infants in 1890 than of the white infants, and those of the colored infants in 1880.

COMPARISON OF THE UNITED STATES CENSUS WITH STATE CENSUSES.

	Number per 1000 of all Ages.	
	Under One Year.	Under Five Years.
Massachusetts, 1860, U. S. Census	25.61	122.89
“ 1870, U. S. “	22.63	107.65
“ 1875, State “	20.60	105.85
“ 1880, U. S. “	21.08	100.56
“ 1885, State “	18.47	91.82
“ 1890, U. S. “	19.22	91.01
Rhode Island, 1860, U. S. “	25.14	118.16
“ 1870, U. S. “	22.64	107.4
“ 1875, State “	24.88	107.44
“ 1880, U. S. “	22.17	103.37
“ 1885, State “	19.93	94.14
“ 1890, U. S. “	19.94	92.08
Michigan, 1880, U. S. “	26.02	126.97
“ 1884, State “	26.74	121.90
“ 1890, U. S. “	23.88	113.37

It will be seen that the United States and the State censuses give substantially the same results, indicating a progressive diminution in the number of children.

Let us now compare the proportions of children found in the population of different countries.

I have not the figures for the most recent censuses in Great Britain and other countries in such detail as to give the proportions of the population under one and five; but the following table indicates that the figures for the United States are fairly comparable, and that the proportion of children is also diminishing in other countries.

PROPORTIONS OF CHILDREN IN POPULATIONS OF DIFFERENT COUNTRIES.

	Date.	Number Under One Year per 1000 of all Ages.	Number Under Five Years per 1000 of all Ages.
United States	1860	29.73	153.71
“	1870	28.54	143.02
“	1880	28.87	137.86
“	1890	25.02	121.92
England and Wales ..	1881	28.99	135.55
Scotland	1881	29.35	136.68
Ireland	1881	20.28	111.30
Prussia	1864	29.95	134.35
“	1885		131.60
Austria			132.00
France	1872	19.29	92.84
“	1886	18.45	91.99
Saxony	1880	29.73	139.73
Switzerland	1880	25.22	119.67
Bavaria	1880	26.76	129.71
Belgium	1865	27.75	141.50
“	1880	26.81	123.66
Queensland	1871	38.59	176.24
“	1876	34.27	150.46
“	1886	32.32	139.89
New Zealand	1881	36.64	167.95
“	1886	31.72	150.09

With regard to the factor “born and died during the census year,” which enters into the calculation of birth-rates for the United States, it is smaller in 1890 than it was in 1880. In Alabama, Arkansas, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Texas, Vermont, Virginia, and West Virginia, the number reported as “born and died during the census year” is less in 1890 than it was in 1880, although in Arkansas, Iowa, Kansas, Louisiana, Missouri, Texas and West Virginia the number of children under one was greater in 1890 than it was in 1880, and this fact taken by itself indicates that the reports of deaths from these States were more defective in 1890 than they were in 1880. The only States for which we have the figures derived from a fairly accurate registration of deaths for both 1880 and 1890 are Massachusetts and New Jersey, and in both these States not only is the absolute number of the “born and died during the census year” much greater in 1890 than it was in 1880, but the relative number as well as the infantile death-rate is also greater. The number born and died during the census year in Massachusetts in 1880 was 3,751, in 1890 5,113; in New Jersey, in 1880, 2,877; in 1890, 4,264. The deaths

of children under one year of age per thousand living of that age were in Massachusetts, 1880, 156.73; 1890, 204.26; in New Jersey, 1880, 152.38; 1890, 216.26. The deaths of children under one year of age per thousand births were in Massachusetts, 1880, 142.51; 1890, 182.57; in New Jersey, 1880, 138.27; 1890, 190.89. The deaths under one year of age per 1000 of all deaths were, in Massachusetts, 1880, 185.53; 1890, 203.98; in New Jersey, 1880, 233.05; 1890, 243.86.

This increase in infantile death-rates, according to the census figures for 1880 and 1890, exists for the whole United States. The number of deaths of children under one year of age per 1000 living at that age in the United States, was, in 1880, 103.81; in 1890, 104.08. It is probable that this indicates an actual increase in the mortality of infants in 1890 over that in 1880 rather than a more defective enumeration of the infantile population in 1890, for there is no reason to suppose that the United States census in Massachusetts was any more inaccurate in the eleventh census than it was in the tenth.

The preceding figures for birth-rates in relation to the total population have been used because at present they are the only ones available for such a series of comparisons as it seems desirable to make. Such birth-rates are not, however, those which it is most desirable to use in a scientific study of the subject, because they do not result from a comparison of the effects with the immediate causes. The number of births should be compared, not with the total population, but with the number of women of child-bearing ages, that is, from fifteen to fifty years of age. Calculated in this way, the birth-rate of the United States, according to the census of 1880, was 126.32, the true rate being, as hereinafter explained, considerably higher, say 150.

The corresponding rate for some other countries, from 1878 to 1882, is as follows: Germany, 118; France, 99; Italy, 144; Switzerland, 117; Sweden, 118; Norway, 131; Belgium, 132; Netherlands, 150; Austria, 148.

We have not yet available the details by age and sex of the population of the United States in 1890, which are necessary to calculate this ratio, but we can approximate it for a few of the States. In Maine, for instance, the number of births per 1,000 women aged from eighteen to forty-four was, in 1880, 101.70; in 1890, 88.39. In Massachusetts the proportions were, 1880, 93.90; 1890, 90.24; in New Hampshire, 1880, 89.00; 1890, 86.63; Vermont, 1880, 110.37; 1890, 95.12; Rhode Island, 1880, 102.94; 1890, 95.83;

Connecticut, 1880, 102.70; 1890, 95.67; New York, 1880, 113.43; 1890, 103.02; New Jersey, 1880, 129.06; 1890, 113.96.

While these figures are not comparable with those for the United States and other nations given above, they are comparable with each other, and indicate in each of these States a decided diminution in the birth-rate.

We cannot directly compare the birth-rates of the United States as deduced from census data with those of other countries, because our birth-rates thus obtained are less than the true figures. In 1880, from comparisons of such data as were available, I concluded that the true birth-rate for that year was about 36 per 1000, or about fifteen per cent greater than that shown by the census data, *viz.*, 31.4.

If we assume the same percentage of error in the returns of the eleventh census, the true birth-rate for 1890 would be about 30.68 per 1000. The total increase of population in the United States from 1880 to 1890, as shown by the census returns, was 12,466,467, giving a mean annual increase of 1,246,647. The number of immigrants arriving in the United States during the ten years 1881-1890, according to the reports of the Bureau of Statistics of the Treasury Department, was 5,246,613, but this figure does not include those coming from the Dominion of Canada and from Mexico after 1885. The average annual number of immigrants may be taken as 530,000, which deducted from the mean annual increase gives 716,647 as the mean annual increase due to excess of births over deaths.

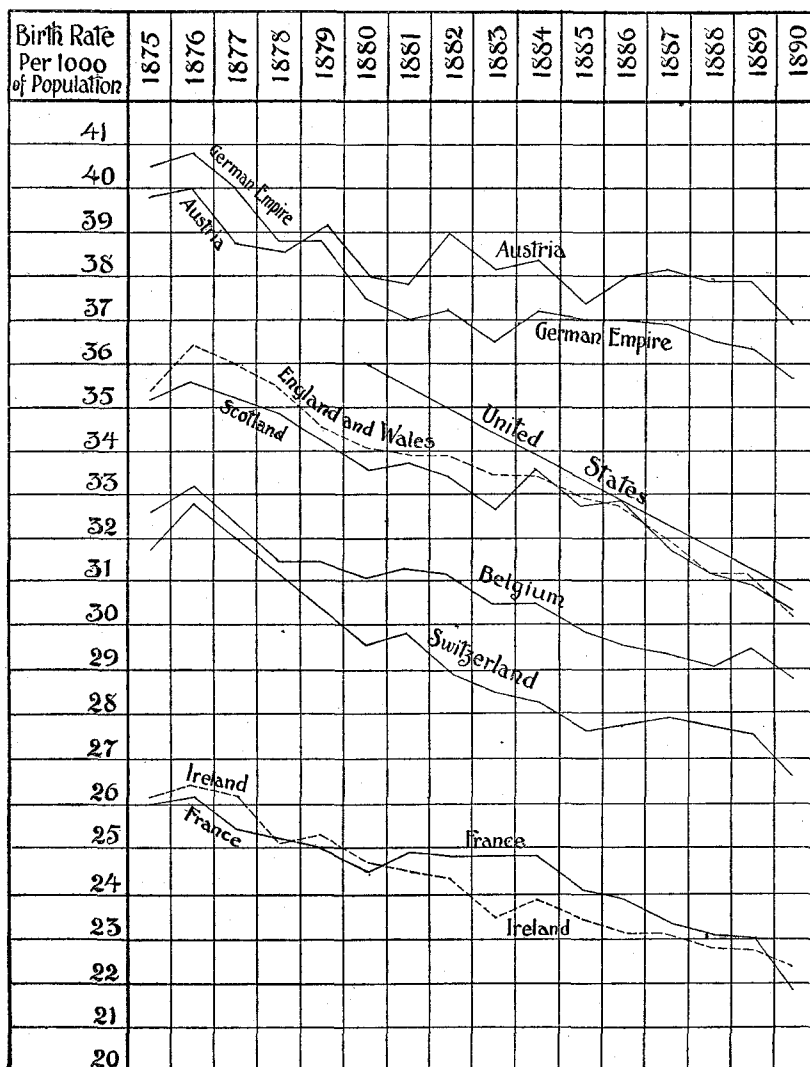
Assuming the mean annual death-rate during the ten years to have been eighteen per thousand, with a mean population of about 56,400,000, the mean annual number of deaths should be 1,015,200, which added to the annual excess of births over deaths would give 1,731,847 as the mean annual number of births, or 30.7 per thousand as the annual birth-rate, which is probably nearly correct, and corresponds closely with that obtained by supposing a deficiency of fifteen per cent in the reported birth-rate as shown above.

Let us now compare the birth-rates thus obtained with those of some other countries. In the United States, the proportions per 1,000 for 1880 and 1890 were respectively 36.0 and 30.7; England and Wales, 34.2 and 30.2; Scotland, 33.6 and 30.3; Ireland, 24.7 and 22.3; France, 24.5 and 21.8; Belgium, 31.1 and 28.7; German Empire, 37.6 and 35.7; Austria, 38.0 and 36.7; Switzerland, 29.6 and 26.6; Denmark, 31.8 and 30.6; Norway, 30.7 and 30.0; Netherlands, 35.5 and 32.9.

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It will be seen that in all these countries the birth-rate has decreased, so that the change in this respect is by no means a local one, but it appears to have been greater in the United States than in other countries. In Italy the birth-rate in 1880 was extraordinarily low for that country, *viz.*, 33.9, having been 37.8 in 1879, and 38.0 in 1881. In 1880 it was 35.9.

The changes in birth-rates of the principal countries from 1875 to 1890 are indicated in the following diagram:



It appears to me that we are justified in concluding that the birth-rate has really diminished in the United States, and that the errors in the census of 1890, as regards the number of children present, are probably not materially greater than those in the census of 1880, except perhaps among the colored people in the Southern States.

Does this diminution in birth-rates indicate a progressive diminution in fertility, in the power of either or both sexes to produce children? There is no good reason for thinking so. It is true that it has been suggested that alcohol, tobacco, and syphilis are producing a deterioration of races which is in part responsible for the change, but of this there is no evidence. So far as we have data with regard to the use of intoxicating liquors, the fertility seems to be greatest in those countries and among those classes where they are most freely used.

Is the lessening birth-rate due to changes in the mode of life of the people, such as the progressive increase of migration from the rural districts to the cities, the increase of wealth and luxury, the so-called "emancipation of women," etc.?

No doubt these things have some influence, by diminishing the proportion of marriages at comparatively early ages, and by favoring an increase in divorce and in prostitution, but it is probable that the most important factor in the change is the deliberate and voluntary avoidance or prevention of child-bearing on the part of a steadily increasing number of married people, who not only prefer to have but few children, but who know how to obtain their wish. The reasons for this are numerous, but I will mention only three.

The first is the diffusion of information with regard to the subject of generation by means of popular and school treatises on physiology and hygiene, which diffusion began between thirty and forty years ago. Girls of twenty years of age at the present day know much more about anatomy and physiology than did their grandmothers at the same age, and the married women are much better informed as to the means by which the number of children may be limited than were those of thirty years ago. To some extent this may also be true as regards the young men, but I do not think this is an important factor.

The second cause has been the growth of the opinion that the abstaining from having children on the part of a married couple is not only not in itself sinful, or contrary to the usual forms of religious

creeds, but that it may even be under certain circumstances commendable.

The third cause is the great increase in the use of things which were formerly considered as luxuries, but which now have become almost necessities. The greater temptations to expenditure for the purpose of securing or maintaining social position, and the correspondingly greater cost of family life in what may be called the lower middle classes, lead to the desire to have fewer children in order that they may be each better provided for, or perhaps, in some cases, from the purely selfish motive of desire to avoid care and trouble and of having more to spend on social pleasures.

In the struggle for what is deemed a desirable mode of existence at the present day, marriage is being held less desirable, and its bonds less sacred, than they were forty years ago. Young women are gradually being imbued with the idea that marriage and motherhood are not to be their chief objects in life, or the sole methods of obtaining subsistence; that they should aim at being independent of possible or actual husbands, and should fit themselves to earn their own living in some one of the many ways in which females are beginning to find increasing sources of remunerative employment; that house-keeping is a sort of domestic slavery, and that it is best to remain unmarried until someone offers who has the means to gratify their educated tastes. They desire to take a more active part than women have hitherto done in the management of the affairs of the community, to have wider interests, and to live broader lives than their mothers and grandmothers have done.

It is a strong argument against this theory of the causation of the lowered birth-rate for this country, that the greatest diminution in the rate has apparently occurred in the agricultural States, and especially among the colored population in the South. It appears to be probable that this greater diminution in these States is due, to some extent at least, to greater errors in the data from which the rates are calculated, both in the count of the living infants and in the returns of the "born and died during the year." It is also probable that voluntary prevention of conception had been far more common in the Northern and Eastern States for a number of years preceding 1880 than it was in the South, but that after 1880 it has increased in the South, producing a relatively greater effect in reduction of rates, although the absolute rates are still decidedly higher than they are in the New England States.

If this view of the case is correct, the birth-rate will not only continue low in the United States as compared with former years, but it will probably become lower. On the other hand, so long as the present tendency of the people to aggregate in cities continues, as it is likely to do until our coal supplies begin to shrink perceptibly, with a corresponding increase in the cost of power for purposes of manufacture and of transportation, so long the death-rates are likely to increase, and, therefore, the rate of increase in population due to excess of births over deaths will diminish. It is interesting to note here that in 1843 Professor George Tucker, in his work, "Progress of the United States in Population and Wealth in Fifty Years," predicted a diminution in our birth-rates due to prudence or pride, and increasing with the increase of cities and of the wealthy classes, with the result that in 1890 the population would be 63,000,000. If to his figures we add the population of Alaska, and the Indians, of which he took no account, it will be seen that his prediction was very nearly fulfilled.

This state of things has occurred before in the world's history in certain regions, as, for instance, in southern and western Europe during the decline of the Roman Empire, and if the increase of population had not been checked, as it then was, the world would now be overcrowded.

It does not appear to me that this lessening of the birth-rate is in itself an evil, or that it will be worth while to attempt to increase the birth-rate merely for the sake of maintaining a constant increase in population, because to neither this nor the next generation will such increase be specially beneficial. But considered as one of the signs of forces which are at work to modify the existing conditions of society, and some of which appear to be of evil tendency, this diminution of the birth-rate merits careful consideration by statisticians, sociologists, politicians, and all who are interested in the physical and moral well-being of the inhabitants of this country.

JOHN S. BILLINGS.

OFFICE-SEEKERS AND THE PRESIDENT'S MANIFESTO.

IN closing the doors of the White House to the hordes of hungry office-seekers President Cleveland says: "A due regard for public duty, which must be neglected if present conditions continue, and an observance of the limitations placed upon human endurance, oblige me to decline from and after this date all personal interviews with those seeking appointments to office except as I, on my own motion, may especially invite." This declaration will become famous in the annals of our country; but it does not go far enough. Mr. Cleveland should have added, that vacancies which he cannot fill without advice do not exist in the public service.

This waste of the President's time by office-seekers has been a long chapter of scandal, especially since the time of Jackson. Writing of Pierce's Administration, Mr. Rhodes, the historian, says (Volume I., page 399): "The importunate begging for official positions in a republic where it was so easy to earn a living was nothing less than disgraceful. Office-seekers crowded the public receptions of the President, and while greeting him in the usual way, attempted at the same time to urge their claims, actually thrusting their petitions into his hands. 'There never was a fiercer time than this among the office-seekers,' wrote Hawthorne to a friend—R. H. Stoddard who had applied for his influence." In the darkest hour of the Civil War, Mr. Lincoln said that the thing that troubled him most was not the butchery on the battle-field, nor the threatened disruption of the Union, but the post-office at Brownsville; and Mr. Lincoln, persecuted almost to death as he was, solemnly declared that if this nation were ever destroyed it would be by the universal wrangle for office. President Garfield, himself a victim of the spoils system, said in 1872: "For many years Presidents of the United States have been crying out in their agony to be relieved of this unconstitutional, crushing, irresistible pressure brought to bear upon them by the entire body of that party in the legislative department which elected them to power." And President Grant in his Message of 1870,

speaking upon this point, and also in regard to the effect of the system upon Senators and Representatives, used these words: "There is no duty which so much embarrasses the Executive and heads of departments as that of appointments, nor is there any such arduous and thankless labor imposed on Senators and Representatives, as that of finding places for constituents."

The time not only of the President and all public servants has been taken by these aspirants, but of many private citizens as well. I have been led to write this brief paper in consequence of the pressure of office-seekers for my endorsement of their applications, which came upon me because it was known that I took an active part in the election of Mr. Cleveland, in connection with the work of the Reform Club and of the German American Cleveland Union. I have found it almost impossible at the same time to see Mr. Cleveland on errands pertaining wholly to public business, because office-seekers absorbed his attention.

Whenever a change has occurred in the National Administration, this humiliating spectacle shocks our national pride: we see thousands of our fellow-citizens go begging for office. These men comprise all the various types of politicians: a few seek distinction, many more want influence, but the large majority look for a sinecure pure and simple, where they will be well paid for doing nothing. They are a motley crowd of idlers, who never have been able to make an honest living in any regular business, and would not try if they had the opportunity. The duties of the positions which they seek do not concern them, because they do not expect to perform any duties. The precious time of our President and his Cabinet has been absorbed in listening to the importunities of such persons who consider themselves entitled to rewards for political services.

There were employed by our National Government in 1881, 124,640 officials; in 1883, 131,860; in 1885, 131,208; in 1887, 141,260; in 1889, 159,356; in 1891, 183,488; and in the year last named only 34,000 persons had been examined as to their fitness. When Mr. Harrison was inaugurated, a prominent reformer estimated the number of appointments at 100,000. As places continue to increase, it would not have been long before our President would have been compelled to devote his entire time to the patronage claimants.

If we accept the estimate of 100,000 appointments that can be made as correct, and allow an average of only five applicants for every place to be filled, we have an army of 500,000 of these "patri-

ots" now in the field. They come from every State and Territory in the Union. The Executive officers at Washington know but few of them; in many cases they never heard of the endorsers of their credentials. It is impossible that the qualifications of each candidate be properly considered under such circumstances. As a consequence, men are frequently chosen, who are totally unfit for their positions. Postmasters have been appointed who can neither read nor write, and when their accounts are called for, it has been discovered that they never kept accounts. Consuls have been sent abroad who have no adequate knowledge of English or any other language. Few have an idea of the functions of such an office, and many of them have none of the instincts of a gentleman. Occasionally a rogue turns up amongst them, as appears to have happened in the case of Ryder, our ex-Consul to Copenhagen. Accused of appropriating fiduciary funds to his own use, he was tried and convicted in a Danish Court. Previously he had been our consul in Chemnitz. It is asserted that under the guise of a borrower he managed to levy blackmail there on hosiery-makers, who were anxious to have their invoices returned in time for the mail. In the centre of Rhenish Prussia the only manufacturers who can get their invoices certified promptly by our consul are those by whom he is socially received. Another consul, who represents us in one of the largest seaports of Germany, brutally knocked down in his office an American citizen and merchant, who had remonstrated with him because he could not get his invoices certified. These certificates to value of merchandise by our consuls have led to a great deal of annoyance and to many abuses. Few consuls are familiar with the cost and quality of the goods, and their certificates are seldom considered by our appraisers. They are of a perfunctory character because a personal inspection is impracticable. We require the same certificates to the value of merchandise which is free from ad valorem duties, and thus impose a useless tax which places our country at a disadvantage against all other purchasers of the same goods. The whole system of consular invoices should be abolished. The selection of proper men for positions in the Treasury departments is probably the most difficult of all. The investigation of our custom-houses has uncovered corrupt practices enough to show that many places there have proved mines of wealth to their dishonest occupants. They generally have exploited them for all they were worth during the short time they could hold them.

Facts such as these have been pointed out time and again by civil

service reformers, but it seems that more radical measures are called for. All grades of the administrative public service, except the highest positions, ought to be brought within the range of appointment by competitive examinations. Of course the President must select his own Cabinet, and a few officials of the highest rank, to help him carry out his policy. Aside from these, he should not have and it is indeed questionable whether he have the right to deprive any honest man of the position which he fills well and to the satisfaction of the public.

I suggest that our schools and colleges should provide a regular course of training for persons of good moral character who desire to devote themselves to the public service. A postmaster should know the geography of our country, all the regulations of the service and enough arithmetic and book-keeping for the requirements of his position. His general education should be good enough to entitle him to social standing in his community. All custom-house officers should have the same accomplishments. Appraisers should be conversant with the value of goods, the materials they are made of, and the currencies and customs of trade of the various countries we deal with. Those who desire to embrace the consular or diplomatic career should have not only all this knowledge, they should also be proficient in foreign languages, political economy and international law. The governments of France and of Germany require professional consuls who are college-bred.

When the studies of candidates are completed they ought to submit to public examination by competent examiners and in the presence of United States commissioners. Only those persons should be considered candidates fit for the office they seek who pass with honors. These should be appointed in their turn as vacancies occur. After a sufficiently long and meritorious service, promotion should follow upon another competitive examination. Retiring allowance should be provided for those who have faithfully performed their duties, when they become incapacitated by age or sickness. The holding of public office would then be an honor carefully guarded as a sacred trust instead of being considered, as it is, the temporary reward of political wire-pulling. A similar system prevails not only in Europe, but in our own Army and Navy. The bureaucratic example of the former and the severity of the latter should be avoided. But we can adopt from both the rules best suitable to our own civil service. Our free institutions give us a great advantage over

countries in Europe where servility yet prevails to an intolerable extent. The American office-holder should be independent of his superiors as well as of politics, and free to express his opinion on any matter of public interest without fear or favor.

Merchants and manufacturers follow such rules. I have been in active business for more than thirty-five years and I never engaged a clerk of whose fitness for the position I had not convinced myself by careful personal inquiry. I have never discharged anybody while he filled his place to my satisfaction, and have not taken notice of the political or religious belief of any of my employees. Corporations in which I have an interest follow a similar course. We would not even employ a shoemaker who had not learned his trade; but we allow many of the most important functions of our Government to be performed by ignoramuses. Our civil service rules are still imperfect; they exact too much from some and not enough from others. But great progress in the right direction has been made. Wherever the merit system has been introduced we find that the work is better done, and done by better men; and there has resulted a vast improvement in the morals of the men and women in public life.

Mr. Cleveland has the opportunity to purify the administration and put an end to this scandalous method. The announcement of his determination to use this opportunity points to a wholesome revolution. He made no promises of patronage. Many of his followers expected it, but that does not entitle them to consideration. In a speech held in January, 1832, Wm. L. Marcy said in the U. S. Senate, "They see nothing wrong in the rule that to the victors belong the spoils of the enemy." But even on this old Roman theory of "*væ victis*" they have no claims because they did not win the victory.

If a reform in this direction diminish the number of politicians of to-day, public interests will not suffer. It will elevate politics and the character of men who engage in politics. Persons of wealth and culture who now shrink from coming in contact with public affairs will devote their lives to them. The result of our elections will depend more on the standing and principles of the candidates than on their political "pulls."

If the President has the courage not only to live up to his announcement but to extend the competitive system to every administrative office, he may not find favor with corrupt spoilsmen, but he will win the heart of every honest man in the country and become immortal in our history.

LOUIS WINDMÜLLER.

THE FINANCIAL EXCITEMENT AND ITS CAUSES.

WITHIN twelve months, Wall Street, the financial center of this country, and its inner core, the stock market, have been agitated and upset by a series of events.

First in the spring of 1892 came excessive floods and crop-damage to wheat and cotton, greatly reducing their area and condition; then in July and August the Homestead and Buffalo strikes and riots, by which organized labor sought to dictate to corporate capital; then the spectre of cholera stalked across the scene; next came the political campaign, which usually checks business; then the result of the election, which meant a reversal of the tariff policy of the Government. Then came the figures of an adverse balance of trade, due chiefly to Europe's poverty and our own prosperity, then the scandalous collapse of the Whiskey Trust, the confession of insolvency, through reckless management, of the Reading railway within two months after the issuance of a favorable balance-sheet and the almost fraudulent declaration of dividends on three classes of income-bonds, payable only if earned; then the exhibition of irresolution in the Treasury, corrected a few days later only by the President himself; and finally the bursting of the disgraceful speculative Cordage Company bubble and several failures, but only among brokers identified with audacious manipulation.

Is not this a chapter of horrors enough to give a nightmare to the financiers who have lived through these experiences? Do we need to add the fear that still haunts the timid mind that the cholera may yet come to destroy all the favorable expectations of the World's Fair? Do these events which have dealt the Stock Exchanges blow after blow not sufficiently account for the low level of prices which prevails there?

Individuals are imprudent and foolhardy under all currency systems, as the history of panics shows, and in some instances, unfortunately, they are practically dishonest. Such individuals, while digging pits for themselves, often undermine confidence and bring

down the innocent and guilty in a common crash. The cause of the acute form of semi-panic that has characterized Wall Street this spring is not the silver legislation. Its immediate cause was the reckless and daring conspiracy of a group of speculators who combined to work up to fictitious heights the shares of certain industrial corporations, of whose real value the public knew nothing except from hearsay, by the aid of excessive dividends, declared either from wild imprudence or gross dishonesty, and by the arts of "cross orders" and manipulation in all its most glaring and obnoxious forms.

It is urged by anti-silver critics that our currency legislation has rendered such speculations possible; but it may be in order to remind such persons that the most disastrous and general "bull" speculation in twenty-five years occurred prior to and following the Baring failure in 1890, in England, where the gold-monometallists find their model currency system. The new corporate capital brought out in 1889 was £189,000,000, against £98,000,000 in 1887.¹ The speculation in brewery-shares was a perfect mania, £450,000,000 being paid by British public for these concerns which were puffed up to fabulous prices, to collapse with startling severity.² There was a "boom" in Argentine, colonial and company issues that gave way to a panic and breakdown of the most ruinous character.

These events in London exercised such a pessimistic influence over foreign sentiment that speculators and investors not only sold Americans to take care of the unmarketable rubbish which they had accumulated elsewhere, but they were in that panicky, disordered state of mind which saw no good in anything. They continued to sell on a reduced scale, and doubtless within the last year they have dribbled out some of their holdings and have hesitated about repurchases by reason of the silver scare. While admitting this fact, it yet remains true that their largest sales were made under the pressure of other influences within the six months following the Baring collapse, a period when silver was very much higher in price, in consequence of the Sherman Act of the summer before, and when expectation was not uncommon that the increased silver purchases thus provided for might permanently lift up the metal near to a parity with gold under our ratio.

There has never been a time when English capital could not find vast quantities of good gold-bearing American bonds if it had felt in

¹ Journal of the Royal Statistical Society, March, 1891.

² *Moniteur des intérêts matériels*, Geo. de Laveleye.

a humor to invest in anything. England already holds many of them but also a great number of our railway shares: such, for example, as St. Paul, Erie, Illinois Central, New York Central, Lake Shore, etc., whose dividends are payable in currency; singularly indeed, the highest-priced bond in our market—the West Shore 4's—are payable in currency.

Outside of Wall Street there has been some slackening-up in trade, which promises to continue, and indications are not wanting that the summer will witness an unusual number of failures. Shall the silver bill be charged with all the responsibility for the complex causes which operate on trade at large, and which I have previously described in part, and shall we excuse the failures of foolish and incompetent business-men by ascribing them to silver legislation? If the Sherman bill should be repealed and no substitute be adopted, how will that protect business-men from the perils of competition and bad judgment, or from the ruin which follows in the wake of ambitious adventurers who fatten on the credulity of men by “kiting” operations in real estate and in mushroom banking? The expectation that the tariff will be revised in accordance with Democratic doctrine, for revenue only and not even for incidental protection, threatens the profits and therefore the credit of every importer and manufacturer and of every owner of goods. Only the general principle of the proposed revision of the tariff has been yet enunciated; no details have been agreed upon and no man can say how little or how much will be the actual change or where it will strike. The McKinley tariff was an artificial stimulant, first to importers in the autumn of 1890 before the law went into operation and next to many classes of domestic manufacturers, by reason of the protection afforded. Radical changes in the tariff, especially important reductions which bring home manufacturers into competition with the unknown quantity of freer foreign trade, must involve a close scrutiny of credits and reduced operations all along the commercial line. This does not affirm or deny the ultimate benefits or evils of any policy; it is the uncertainty which kills.

Then again the large crops of 1891 in cotton and grain made our planters and farmers feel rich; they knew of foreign shortages and they did not wait to see whether all their expectations of enormous exports at famine-prices would be made. They began to spend what they thought their raw materials would bring in the markets and, inspired by the prospect, many of them were not satisfied with the

first prices made on their crops. They held on, but they bought liberally of manufactured goods; they bought new silk dresses for their wives, new pianos for their daughters, and anticipated too much. The result is, the West and South are not in so good a condition financially as they should be, and they will have to retrench, and this will check the demand for manufactured goods.

The money-market is now stringent throughout the country. One reason for this is the loss of over forty-five millions of gold for the four months up to May 1st: another reason is the immense stocks of wheat and cotton on hand that have to be carried by banks at the great receiving points. Bradstreet's figures of the total stock of wheat in the United States and Canada on May 1st, 1893, was 99,247,000 bushels, against 51,870,000 on May 1st, 1892, and 37,875,000 on May 1st, 1891. This tremendous congestion of wheat is not due to the silver-question in the United States: it is not held at high prices due to an inflated currency: it is about twenty cents a bushel lower than it was a year ago; it was relatively lower this spring in the New York market than in Liverpool, and at one time positively lower than before in a century. The outlook for the winter wheat crop is not good, and if perchance the spring crops of wheat, corn and cotton should not promise well the farmers will have "hard times."

Commercial squalls will come perhaps, but nothing now presages a cyclone. The country has not been converting vast sums of floating into fixed capital: it has not been caught with a large number of incomplete railroads or enterprises of any description, and prices are generally low. There has been enough skepticism in financial and commercial circles during the past year to act as a brake on ambitious speculators and promoters, so we should be hopeful that such further liquidation as may be necessary will be conducted gradually rather than through the form of an acute commercial crisis.

Concerning the peculiar and specific relation of our recent heavy gold exports to the present outlook, it may not be amiss to consider what has lately been taking place abroad. The political policy of the great continental powers has for several years dictated the accumulation of large sums of gold, which became a war treasure, and are therefore practically withdrawn from commercial use. Germany in substituting gold for silver and equipping her war-chest at Spandau, France in adding since 1880 one hundred and thirty millions (in dollars) of gold to her coffers, Austria in accumulating the \$147,000,000 that she had on April 4th of this year, for purposes of redemption of

her paper currency—to say nothing of the large sums of the yellow metal sent to the Argentine Republic and Australia within the last two years—have all combined to deprive commercial channels of their usual free supplies of gold. This is a hardship; it cramps and restricts credit operations and enterprise and, on the face of it, accounts for much of the shrinkage in values, distress and diminished industrial employment in Europe. The power of initiative is lacking in Europe, for no man wishes to enter into obligations payable in gold, which by reason of the struggle for it and its consequent appreciation, becomes constantly more costly to acquire to repay debts contracted for even the most worthy commercial or industrial purposes.

Now we in America have been blessed with good crops, with freedom from pestilence and war; our people have felt confidence in themselves and the materials at their hands and they have been willing to buy securities which Europe felt too poor or frightened to hold, and to buy freely of foreign goods, sold at prices made very low by the conditions which prevail there.

If we had not added to our circulating-medium, our credit-system would have broken down in the attempt to receive the mass of securities returned to us and to handle the great crops and developing industries of our country, which have been kept prosperous, concurrently during the past two years and a half with uniform and universal depression in Australia, the Argentine Republic, Brazil and nearly every nation of Europe except France. France with all her copper and Panama troubles has been the most calm and prosperous of all European communities and is better supplied with currency. Yet it was but a few weeks ago that authority was given to the Bank of France to increase its circulation by five hundred million francs. The French are the best bankers and financiers in Europe. They are not brilliant, like the English, but they keep on an even keel, while England, in trying to conduct her great commerce with an insufficient supply of gold, is driven to frequent irregularities in the interest-rate and a dangerous expansion of credits. In 1844 the present Bank Act was passed, and one of its provisions was that the Bank of England, after issuing its statutory amount of notes, (now about £16,500,000) against government-debt and other securities, must then place five gold sovereigns at the back of every further issue of a five-pound note. This rigid rule to prevent currency expansion drove British traders to credit-expansion instead. Within twenty-two years of its passage there were three panics, and in each of them orders were

issued by the Government permitting the Bank to violate the restrictive clause. Three times the publication of this authority to increase the note issues, beyond the hard and fast rule of "an eye for an eye" or a sovereign of gold for a sovereign of gold, acted like a charm and allayed the panics which England's currency system had not averted.

We actually have in this country now more gold than is extant in the United Kingdom, and as the only commercial need for it is limited to the payment of adverse European trade-balances, our other forms of currency, which are a full legal tender in all domestic transactions, are equally acceptable to our people so long as their parity with gold is guaranteed by the Government. This is precisely the principle upon which specie-payments were resumed in this country in 1879; it was known that only a small percentage of the gold substance would be needed or demanded in exchange for the paper substitute. Likewise all banking deposit business is conducted on this principle. Our silver currency to the extent of one hundred and fifty millions has merely filled the vacuum occasioned by the retirement of National Bank note circulation. The volume of these notes on July 1st, 1878, was \$324,000,000, while on May 1st, 1893, it was but \$171,000,000. While we have been adding silver to our circulating medium, we have also increased our gold supplies. The estimate by the Secretary of the Treasury of the circulation on July 1st, 1879, in round figures gives gold at \$245,000,000 and silver (not counting subsidiary coins) at \$41,000,000. The estimate by the same authority on May 1st, 1893, is gold, \$516,000,000, and silver (excluding subsidiary), \$509,000,000.

Thus it will be seen that our stock of gold has increased over two hundred and fifty millions since silver-purchases began. The process of driving gold out has not been in operation at all except at brief periods when we had to settle foreign balances due to special trade conditions. In the meantime our population has risen from the Treasury's estimate of 48,866,000 on July 1st, 1879, to 66,706,000 on May 1st, 1893, while our foreign and domestic trade and bank clearings have grown by leaps and bounds. If we had injected dangerously large and artificial quantities of new currency into circulation, a big rise in prices would have occurred, as always happens with a superfluous currency. On the contrary prices have been kept at a remarkably low level. Coal, iron, petroleum, wheat, leather, lead, copper and cotton, indeed all the great staples except provisions, have recorded their lowest prices during the last few years.

If we had not taken on silver as collateral for the new currency-issues of the last fifteen years, we should have been greatly distressed by the retirement of over one hundred and fifty millions of National Bank notes which were no longer profitable to the issuers, to say nothing of meeting the increased demands of trade, transportation and industry and the widened area as well as increasing numbers of our population. As a practical question we all know that there would have been some provision for bank or Treasury note circulation; and if it should have happened to be in the line of state bank issues, our present national currency would look like an ideal one compared with such heterogeneous, uncertain and local issues. It is unfortunate that the great commercial nations of Europe have acquired the gold habit and are not yet willing to sober off on silver; but signs multiply that a rapid change of sentiment is now under way. Diplomatic and military considerations rather than the interests of the commercial classes appear to have dominated foreign parliaments and legislatures; but a new era is dawning. In the great debate in the British Parliament on February 28th last, Mr. Goschen, Sir Henry Meysey-Thompson, Mr. Balfour and Mr. Chaplin, lately Minister of Agriculture, poured forth a torrent of bi-metallic ideas, and the majority against their plea was only 81 out of 377 votes. It is a notable fact that the great English periodicals, the "Nineteenth Century," the "Fortnightly Review" and the "Contemporary Review," this winter have had a series of strong bi-metallic articles, emanating from the Universities and the upper circles of British thought. Curiously enough, at the Brussels Monetary Conference the proposal of a British delegate, though perhaps not supported by his immediate associates, proceeded in general upon the lines under which the United States buys silver. Sir Alfred de Rothschild, representing the commercial classes who are beginning to assert themselves on the money question, brought forward a crude plan for European purchases of silver, as he felt that public sentiment there was not quite ready yet to abandon the sole gold standard for an international ratio but was ready to demand a wider use of silver. The leaven is working, and it may be hoped that by next November, when the Conference will reassemble, some definite agreement may be reached.

Meantime, despite all the talk and direful prophecies as to the trouble that is about to be precipitated on us if the so-called Sherman act be not repealed, it is safe to predict that silver will not be discarded by an American Congress as a money-metal, and happily I

cannot believe that the obstinacy of the West and South will involve us in great dangers. We may have much financial and commercial stress of weather ahead of us, but Europe has suffered far more from an attempt to do her business upon a constantly vanishing stock of gold in commercial use than we have suffered from an expansion of our monetary base, which appears to have been merely proportionate to our natural development and growth in other things than money. As Mr. Boissevain, delegate from the Netherlands, said at the Brussels Conference: "We see in those countries which have a gold standard prices have fallen enormously and that, on the contrary, in the countries which have a silver standard, the relation of value between money and goods has remained almost exactly what it was twenty years ago."

It sometimes happens, indeed it often happens, that if the public gets alarmed about anything, great damage may result even though it sees a phantom of its own imagination. Last autumn a scare occurred over the cholera. There were fewer deaths than from typhus fever, an altogether more contagious and deadly disease. The latter is present here in sporadic cases now, but the public mind does not shy off at the mention of the word, as it does when the name of the cholera is uttered; yet the Boards of Health dread the typhus tenfold more. So the public mind by a singular unanimity in the Eastern part of the country dreads the silver legislation as if it were a fatal and disgraceful disease. It is this feeling, this apprehension that works the injury rather than the law itself, defective as every one must regard the particular method of employing silver.

The scare is on, and it has been preying on the public mind for several months, in an acute form since the large exports of gold began in January. Yet this scare is not a new one and many of its traits are identical with those existing in the early part of 1884 and before the May panic of that year, which by the way is naturally never now attributed to silver legislation. The balance of trade during the early months of 1884 ran heavily against this country. Imports of merchandise were four millions less, but exports were thirty-three millions less, than for the corresponding period of 1883. The cash of the New York Associated Banks declined from \$111,000,000 on February 16th to \$84,000,000 on May 3rd, 1884, and gold went abroad, to the extent of about thirty millions up to the first of May of that year.

These conditions closely parallel those existing here this winter; but the further identity is still more remarkable. Then as now there

was a silver scare accentuated by the utterances of a Treasury official. In the middle of February, 1884, Assistant United States Treasurer Acton, who was then, as the same officer is now, a member of the Bankers' Clearing House, communicated to its manager the suggestion that by reason of insufficient gold the Treasury might be compelled to pay in silver. How closely this recalls the vague but alarming Treasury memorandum of April 20th, 1893. The banks protested so vigorously then, as of late, that nothing further was heard of the proposition, but bids of one-eighth of one per cent to call gold at 101 at any time during the remainder of the year 1884 were made without meeting a seller.

The Treasury department in the autumn of 1891 achieved the unique distinction of renewing about twenty-five millions of expiring four and one-half per cents at two, and if the President had not tried to drive a closer bargain with the Government creditors the other half could have been renewed. As it was, they had to be paid off, and gold to the amount of nearly twenty-five millions had to be paid out. If it were still in the Treasury much of the recent nervousness as to gold redemption would have been avoided. Indeed it would not have existed in anything like the same degree if Secretary Carlisle had been firm and direct in his expressions of an intention to maintain a parity between the different forms of currency. The law requiring the redemption of greenbacks and the payment of many of our government bonds reads "in coin," and vacillation or hesitancy in the Treasury department as to the purpose of paying gold, when demanded, against such obligations would have had a still more damaging effect.

It may be said, "Why is not the presence of this silver money a ruinous menace to the situation if the redemption of it in its own material is so resisted?" To this it may be answered that interconvertibility of different currencies in any monetary system is necessary, but that does not imply that there shall be but one currency in use.

As M. Tirard has shown recently is the case in France, we in this country could not, without great inconvenience and depression, do business without some sort of a reinforcement to the gold-stock; and whatever the forms of currency (the most of which are wanted only for domestic exchanges), whether "greenbacks," National Bank notes, State Bank notes or silver notes, they must be and can be kept on a par one with the other and all with the best, the same as in France. This can be done with our stock of these metals, and it will take a

much greater disproportion of other currencies to gold than exists to-day, to break down such interconvertibility.

Meantime we cannot expect the balance of trade to run against us permanently as it has for two years past. During the first of those two years we had to take back vast quantities of securities and during the past years the poverty of Europe through bad crops, unfortunate investments, the oppression of immense military expenditures and the crushing of values due to a reduced stock of money for commercial uses, combined to make such low prices for foreign wares that our people, who were somewhat flushed with big crops, bought liberally. Europe being poor got along with less of our breadstuffs than usual, and the Lancashire cotton-spinners, having a lock-out and strike, with seriously crippled markets for their fabrics in the Argentine Republic, Australia and elsewhere, were not able to buy the usual quantity of our cotton. This will right itself; and the overwhelming majority last fall of the Democratic party, committed to radical tariff-reductions and changes, will largely stop the importation of foreign goods this summer and autumn, until the exact nature of the changes shall be determined.

By that time Europe will probably be disposed to repurchase our securities and a wider market will be found for our grain and cotton as Europe recovers from her idle and depressed condition. It is by no means certain that the European common people will not imitate the recent example of Belgium's democracy, and ask for a modification in the hard and fast monetary system, and a relaxation in military expenditures. The Prussian Reichstag on May 6th rejected the Army Bill with its appropriation—a decision of great significance. It is probable too that Austria will find it difficult to hold her gold procured by artificial and heroic methods. Of late the quotations at Vienna, of exchange on London, show a premium on gold that has risen within the last month from one and three-fourths per cent on April 13th to three per cent on May 12th. Put there by force and arbitrary purchases, much of this gold will escape as soon as it enters the channels of Austrian trade.

The situation may also be relieved here and elsewhere by an important appreciation of silver bullion. The visible supply in New York of silver bars is less than three hundred thousand ounces against a registered supply, a few months after the act of July 14th, 1890, of over six million ounces. It is true the price of silver shows no special buoyancy, but it is firm, and no considerable stock of ingots

is extant. A very slight percentage of decline in production will soon permit the absorption of all supplies at the present rate of consumption. Venezuela has just voted to purchase and coin the equivalent of one and one-fourth million dollars' worth of silver. No new capital is going into silver-mining and gradually old mines are giving out or closing down. More than one-half of all the silver-product of the United States, Mexico and South America comes from copper and lead ores—principally lead ores, and the prices of copper and lead are now so low that unless the price of silver should increase it will be difficult to work many of the properties in which silver is an essential part. Two years ago, there were thirty mines at Aspen in Colorado making a profit; to-day, only three pay a dividend.

The disturbance in the ratio of silver to gold, partly due to increased production during the past fifteen years and partly to inimical legislation, has undoubtedly passed its maximum. Any general movement legislatively will now be in agreement with the purposes of the Brussels Conference, and the needs of India and all European merchants and manufacturers trading with silver-using countries; and the fact that the old bonanzas are pretty well worked out, with no new ones in sight, suggests happier days for the much-despised white metal. Moreover, it will not do to work ourselves into a passion about silver, for the conditions which now so excite the gold-monometallists have so far been of brief duration compared with the long record of the past, and curiously enough they are not dissimilar to those which surrounded gold thirty-five years ago, when many of the greatest authorities condemned the yellow metal as unfit for use as money by reason of its seemingly unlimited production in California and Australia.

GEORGE RUTLEDGE GIBSON.

COLLEGE MEN FIRST AMONG SUCCESSFUL CITIZENS.

WHAT is a university? It is the place, it has often been said, where nothing practical is taught.

With the echo of such a popular challenge I have had an examination made of the six volumes known as "Appleton's Cyclopædia of American Biography." The work contains sketches, more or less complete, of 15,142 persons. These persons are Americans. Most of them were born on our soil. Those who were not born here, lived and worked here. The book is supposed to represent the most conspicuous fifteen thousand persons of our American history. It is necessarily subject to limitations. Many who have wrought better than these who are here sketched are not introduced. The Cyclopædia is not perhaps comparable with the similar yet dissimilar work which Mr. Leslie Stephen is editing for the British nation. But it is the least incomplete of all collections of the lives of the more conspicuous Americans. Two of my friends, students in Adelbert College of Western Reserve University, Herbert Seely Bigelow and Alfred John Wright, have examined each of these more than fifteen thousand names. The facts which we set out to discover were:

How many of these persons are college graduates, and how many are not? What is the education of those who are not college graduates? To what colleges are those to be credited who are graduates? To what professions do the graduates belong? The following table represents the results of the examination. A word explanatory may be fitting. It can be best given by an example. Amherst College is represented in the Cyclopædia by 102 graduates. Of these, twenty-seven are clergymen, four soldiers, twenty-four educators, and so on. A similar presentation is made in the case of each of the forty-three colleges named. The term "non-college" and the figures following, show the number of men in the specified callings whose names are found in the Cyclopædia who are not graduates. The "Total" stands for the number of all the men represented in the

Cyclopædia. The last line represents the percentage of the graduates found belonging to each of the callings specified.

	Clergy.	Soldier.	Lawyer.	Statesman.	Business.	Navy.	Author.	Physician.	Artist.	Educator.	Scientist.	Journalist.	Public Man.	Inventor.	Actor.	Explorer, Pioneer.	Philanthropy.	Whole No. of Persons Named in the Cyclopædia.
Amherst.....	27	4	7	4	3		7	8		24	12	1	1	3			1	102
Bowdoin.....	24	3	15	10	3	1	15	8	2	16	2	2	3					104
Brown.....	53	6	33	21	9		9	12	3	27	7	3	2	2			2	189
Colby.....	5	2	3				2	2		3								20
Columbia.....	47	12	38	15	12		17	18	2	21	10	1	3			1	1	198
Cornell.....	1	1		1	1		1	8	1		5	1						20
Dartmouth.....	60	10	36	22	7		4	8		44	9	3	4				1	208
Dickinson.....	18	1	15	3	1	1				7	3	1	2				1	53
Georgetown.....	2		3				2	3		1			1					12
Georgia U.....	1		7	5			1	2		4	1							21
Hamilton.....	20		11	4	2		9	1	1	16	3						1	68
Hampden-Sidney.....	14	2	4	5			2			2			2					30
Harvard.....	204	39	162	50	39	3	93	91	12	95	37	14	32	1		2	9	883
Hobart.....	12		6	1			1	3	0	1	1	3	2					30
Jefferson.....	19	3	7	8			3	2	4									46
Kenyon.....	5		3	1			1	1		2								13
Madison.....	9			2			4			1								16
Marietta.....		1		2			1	2		1	1							8
Miami.....	5	1	3	9	1	2	3											24
Michigan U.....		3	2	2	1			4			1		1					16
Middlebury.....	28		6	9	1		5			5	2		1	1		1	1	60
Nashville.....	1	2	2	4						1			1					11
New York.....	21		10	1	1		6		2	6	6	2	1				1	57
North Carolina.....	6	1	12	17			1	3		4	2	2	8					56
Oberlin.....	1	1		2			1			5	2							12
Pennsylvania.....	40	2	30	7	12		11	34		7	21	2	7	1	1			175
Princeton.....	100	15	69	44	4	1	21	23	3	24	3		11				1	319
Rochester.....	3	3	1		1		4	1		6	2	1						22
Rutgers.....	23	1	5	3	1		3	4		2	1							43
South Carolina.....	7	6	15	14	2		1	5		4	2	1	3					60
St. John.....	1	1	4			1	2	2		2	1	1	1					16
Transylvania.....	4		4	4				4			2							18
Trinity.....	22	1	4	2	2	1	4	4	1	2	1	1						45
Union.....	65	16	29	13	6	1	16	8		22	6	4	2					188
Vermont.....	6	1	7	2	2		3	3	1	6	3	2	3					35
Virginia.....	9	4	8	8	1		1	7		8	3	1	3				1	54
Washington.....	3	3	3				2	3		2							1	17
Washington and Jefferson.....	6	2		4			1				1							14
Wesleyan.....	16		4	2	1		1	3		18	5	2		2				54
Western Reserve.....	5	1	2				1			1	1							13
Williams.....	43	6	23	12	7		9	11		26	14	5	1					157
William and Mary.....	7	7	15	29	2		2	3		5	1	2	7	2				82
Yale.....	194	37	149	55	19		53	43	4	83	38	15	14	3			6	713
Small Eastern.....	71	9	13	13	4		12	11		18	9	2	6	1	1		1	171
Small Southern.....	57	13	32	25	6	1	21	25	8	13	15	4	7	1	1	1		230
Small Western.....	29	12	14	14	3	1	7	5	2	17	19	6	3					132
Foreign.....	211	20	25	10	17	2	54	51	20	73	89	14	14	1	1	4	1	507
Academy.....	59	436	68	65	60	34	39	36	39	42	25	11	15	3	4	7	6	949
Non-College.....	1080	1264	769	811	884	466	668	449	525	345	164	206	605	144	99	233	145	8867
Total.....	2744	1752	1678	1310	1105	515	1124	912	630	1016	522	313	765	166	107	249	180	15142
Per cent Representing College Graduates.....	.58	.02	.50	.33	.17	.029	.37	.46	.104	.61	.63	.30	.189	.11	.037	.036	.16	.35

Of the 15,142 men named in the book, 5,326 are college men, or slightly more than one-third. Of them also 941 are what may be called academy but not college men. It is to me exceedingly significant that so large a proportion are college-bred. The whole num-

ber of graduates of American colleges from the beginning until the present time does not exceed two hundred thousand. Of these, five thousand have done such work as to deserve a memorial more or less permanent. One man therefore in every forty men graduating has thus deserved well. I recently asked a distinguished Professor of American History how many persons had ever lived in America. He was unable to give me an answer. I will assume that at least a hundred millions of people, who have lived and whose dust mingles with the common dust of this new soil, have not had a college training. Yet out of these hundred millions only ten thousand have so wrought as to deserve such recognition as is found in a cyclopædia of biography. Only ten thousand out of ten thousand times ten thousand! Therefore only one out of every ten thousand. But of the college-men one in every forty has attained such a recognition. Into one group gather together ten thousand infants and send no one to college; one person out of that great gathering will attain through some work a certain fame. Into another group gather forty college-men on the day of their graduation, and out of those forty one will attain recognition. It is not very hard to see how far the proportion is in favor of the college-man—two hundred and fifty times. I will not vouch for the mathematical accuracy of these estimates: but I do say that they are true in their general impression and significance.

Among the interesting questions upon which this survey sheds light is the question, In what vocations is found the largest proportion of college-men? I may now say that the results of this examination were classified under seventeen professional divisions: clergymen, soldiers, lawyers, statesmen, business men, naval officers, authors, physicians, artists, educators, scientists, journalists, public men, inventors, actors, explorers or pioneers, and philanthropists. There are 515 naval officers sketched, of whom only 49 are college men, or 2.9 per cent. Essentially the same proportion is found among soldiers: of no less than 1,752 names mentioned, 1,264 do not represent a college training; 436 represent only an academical training. Of the 107 actors mentioned, only 8 are college-bred. The percentages found in the other callings are as follows: pioneers and explorers, 3.6 per cent; artists, 10.4 per cent; inventors, 11 per cent; philanthropists, 16 per cent; business men, 17 per cent; public men, 18 per cent; statesmen, 33 per cent; authors, 37 per cent; physicians, 46 per cent; lawyers, 50 per cent; ministers, 58 per cent; educators, 61 per cent; scientists, 63 per cent.

One is tempted to linger upon these figures, to show in detail how they tend to prove the worth of a college training. Forty-six per cent of the physicians noted in this book are graduates. It is a notorious fact that the medical profession has very few college-trained members. The usual estimate is that one physician in every twenty has a college training. Now of all the physicians who do such conspicuous work as to deserve a place in a cyclopædia, almost one-half are found to belong to this small five per cent; the forty-six per cent is found to belong to the five per cent! The contrast is not so strong in the case of lawyers. It is probable that about one-fifth of all the lawyers now practising are graduates, or twenty per cent. But of the lawyers whose names appear in this Cyclopædia, fifty per cent are college bred. In respect to ministers, too, we find the same general result. It has been to me a little surprising, I will confess, that of the 2,744 ministers named in this Cyclopædia, 1,139 are not college graduates; that is to say, fifty-eight per cent only are college graduates. The ministry is in general the most learned of all the professions. The lists of the first graduates of our two oldest colleges show that to be a college graduate was not identical with being a minister, but the lists do show that considerably more than one-half did enter the ministry. In the recent times this condition is altogether changed. For a long period that largest and most aggressive of our American churches, the Methodist Episcopal, discouraged the higher education as a pathway to the ministry. Clerical pioneers, like civil pioneers, it was thought, need not have a college training. But at the present time the face of this great Church is as strongly set toward the college as its back was in the former time. It may therefore be due to the early and long-continued attitude of the Methodist Episcopal Church and certain other churches toward education that we find no larger proportion than fifty-eight per cent among the more eminent clergymen representing a college training.

Among these figures it appears that seventeen per cent of the business men who have thus won recognition are graduates. Although this percentage seems small, yet it is exceedingly significant. There are mentioned in this Cyclopædia 1,105 men of business. If one can by a mathematical imagination conceive how many business men there are or have been in this country and will compare this number of his imagination with 1,105, and if on the other hand he will compare the 161 business men that are graduates who are mentioned in this Cyclopædia with the relatively small number of busi-

ness men in this country who have had a college training, he will obtain a product showing how vast is the evidence in favor of the worth of a college training.

In this comparison occur the names of forty-three colleges. There are also included several colleges, represented by a small number of graduates, which are classified as the "small eastern," the "small southern," and the "small western" colleges.

Let me compare certain of these colleges which are conspicuous and which we naturally associate. The first college founded in America was Harvard, the third Yale; the second was William and Mary in 1693; but William and Mary after a long and noble career is now a college hardly more than in name. I may therefore compare our two oldest colleges, and I think I do no injustice in saying our two most conspicuous. Harvard College was founded in 1636, Yale in the first year of the last century. Harvard, including the class of 1890, has 11,932 graduates; Yale, 10,576 graduates. Of the Harvard graduates, 883 are noted in this Cyclopædia; of the Yale, 713. Of the Harvard, slightly more than seven per cent; of the Yale, slightly less than seven per cent. In this same Cyclopædia the clergy has of Harvard men 204; of Yale 194. Of soldiers, Harvard 39, Yale 37; lawyers, Harvard 162, Yale 149; statesmen, Harvard 50, Yale 55; business men, Harvard 39, Yale 19; naval officers, Harvard 3, Yale 0; authors, Harvard 93, Yale 53; physicians, Harvard 91, Yale 43; artists, Harvard 12, Yale 4; educators, Harvard 95, Yale 83; scientists, Harvard 37, Yale 38; journalists, Harvard 14, Yale 15; public men, Harvard 32, Yale 14; inventors, Harvard 1, Yale 3; philanthropists, Harvard 9, Yale 6. As one compares these two sets of figures he is struck at once with the similarities and the dissimilarities. In the number of ministers and of lawyers there is comparative equality. In the number of educators each college has a similar credit. But in respect to the significant callings of the physician and of the author there is a great variance: Harvard has 91 physicians, Yale 43; Harvard has 93 authors, Yale 53.

I have been questioning myself as to the cause of such a dissimilarity. I am inclined to think that the reason Harvard has a so much larger number of distinguished physicians lies in the fact that the Harvard Medical School is assuredly a more conspicuous agency than the Yale Medical School, and that it has been more easy for the bachelor of Harvard to become a physician through his own Medical School than for the Yale bachelor to become a physician through either

the Harvard or his own Medical School. The difference between the number of authors among the Harvard graduates and among the Yale graduates has long been recognized. It has always been said that the literary influences of Cambridge and Boston are stronger than those of New Haven and New York. American historians have dipped their pens into the Harvard ink-bottle. Of our historical pentarchy, Bancroft and Motley and Parkman and Palfrey and Henry Adams are Harvard men. Of our poetical pentarchy, Lowell and Holmes and Emerson are Harvard men. What is the cause of such literary preponderance? A general cause may lie in the fact that Boston has been the literary center of the United States. A general cause may also lie as far back as the earlier colonial period. The colonial pulpit had a tremendous influence in the promotion of the higher intellectual interests. I also judge that a further and more immediate cause of the literary preëminence of Harvard students is found in the fact that the chairs of literature at Harvard have been filled by such teachers as Longfellow, and Lowell, and Edward Tyrrell Channing.

Over the name of Channing one likes to linger. It is to Channing above everyone else that this preëminence is due. Mr. Edward Everett Hale says ("My College Days," *Atlantic Monthly*, March, 1893):

"I once heard it said by a person competent to judge that Harvard College had trained the only men in America who could write the English language and that its ability to do this began with the year 1819 and ended with the year 1851. The same person added that whoever chose to look upon the college catalogue would see that those were the years when Edward Tyrrell Channing began and ended his career as the Boylston Professor of Rhetoric and Literature. This was said thirty years ago."

Mr. Hale adds:

"Half a century afterwards when I was an overseer, the president of the time said to me, 'You can not get people to read themes for many years together.' I said, 'I thank God every day of my life that Ned Channing was willing to read themes for thirty-two years.'"

The work that the college can do for a man in teaching him to write English is slight, but is worth much. American literature owes a debt to Edward Tyrrell Channing which will never be properly recognized. Less distinguished than his brother, William Ellery Channing, American literature owes him an obligation hardly less than that which the liberal church of America owes to the distinguished apostle of Unitarianism.

But when, in comparing Harvard and Yale, we turn to what are called statesmen, we find that the advantage lies with the college in New Haven. Harvard, although having a larger number of graduates, is credited with only fifty statesmen, while Yale is credited with fifty-five. It has commonly been said that Harvard is more of a literary college and Yale more of a college fitting one for public life. It would seem that possibly Yale is touched by what may be called the American spirit. A Harvard graduate and also a teacher in Harvard has lately said ("Harvard Monthly," March 1893, page 95, article by George Santayana):

"The essential object of the institution [Yale] is still to educate rather than to instruct, to be a mother of men rather than a school of doctors. In this Yale has been true to the English tradition and is, in fact, to America what Oxford and Cambridge are to England,—a place where the tradition of national character is maintained, together with a traditional learning. If there is a difference, as of course there is, between the Yale undertone of crudity and toughness and the sweet mellowness of studies and athletic life in England, that is not due to the fault of Yale but it is due to the fact that English and American society are at different intellectual stages. The Yale principle is the English principle and the only right one. . . . No wonder that all America loves Yale, where American traditions are vigorous, American instincts are unchecked, and young men are trained and made eager for the keen struggles of American life."

In a word, Yale seems to be more American than Harvard. Public life, politics, statesmanship represent a very important part of American life. Therefore a larger number of distinguished men of Yale we do find in statesmanship than of Harvard.

Let me also make comparisons of certain other colleges. I chose, as standing at the head of the list, Amherst and Bowdoin. Amherst is credited with 102 men of distinction, Bowdoin with 104. Run through the list and see how in respect to professions the balance stands. Of clergymen Amherst has 27, Bowdoin 24; soldiers, Amherst 4, Bowdoin 3; lawyers, Amherst 7, Bowdoin 15; statesmen, Amherst 4, Bowdoin 10; business-men, each 3; naval officers, Amherst 0, Bowdoin 1; authors, Amherst 7, Bowdoin 15; physicians, each 8; artists, Amherst 0, Bowdoin 2; educators, Amherst 24, Bowdoin 16; scientists, Amherst 12, Bowdoin 2. Also put down side by side the old college of William and Mary that has practically ceased to be and the newer college of Jefferson's creation, the University of Virginia, that has and is to have a very great influence in the intellectual life of the South. William and Mary has 82 men of fame, the University of Virginia 54. Of clergymen, the University of Virginia

has 9, William and Mary 7; soldiers, University of Virginia 4, William and Mary 7; lawyers, University of Virginia 8, William and Mary 15; statesmen, University of Virginia 8, William and Mary 29; educators, University of Virginia 8, William and Mary 5. Dartmouth and Brown are credited with comparatively the same number of distinguished graduates, Dartmouth having 208, Brown 189.

Observe the similarities and dissimilarities in the different callings. Brown has 53 clergymen, Dartmouth 60; Brown has 6 soldiers, Dartmouth 10; Brown has 33 lawyers, Dartmouth 36; Brown has 21 statesmen, Dartmouth 22; Brown has 12 physicians, Dartmouth 8; Brown has 27 educators, Dartmouth 44. Compare also two colleges dissimilar in history and association, as Williams and the University of Pennsylvania. The University of Pennsylvania is said to have 175 distinguished men among its graduates, Williams 157. Included in and making up these numbers the University of Pennsylvania is credited with 40 clergymen, Williams 43; University of Pennsylvania, 2 soldiers, Williams 6; University of Pennsylvania, 30 lawyers, Williams 23; University of Pennsylvania, 7 statesmen, Williams 12; University of Pennsylvania, 12 business-men, Williams 7; University of Pennsylvania, 11 authors, Williams 9; University of Pennsylvania 34 physicians, Williams 11; University of Pennsylvania 7 educators, Williams with 26.

As one goes through these comparisons one is struck, as in the case of Yale and Harvard, with the similarities and dissimilarities. Similarities however are somewhat constant. Colleges on the whole seem to have about the same proportion of men to the different callings. And yet observe the contrasts. Amherst is credited with 4 statesmen, Bowdoin 10; Amherst with 7 authors, Bowdoin 15. Why these marked differences? We know that from Bowdoin came Longfellow and Hawthorne, Franklin Pierce and John A. Andrew. And we also know that these men had their college days in a time when Amherst was in its feeble infancy. It would seem that the early forces at Bowdoin employed either in attracting men or in offering tuition were somewhat stronger than were the forces of the Massachusetts college. Amherst has given to the world a Storrs, a Beecher, a Roswell D. Hitchcock. But the college days of these men were after the college days of Longfellow, of Hawthorne, and of Franklin Pierce. William and Mary too has turned out far more statesmen than the University of Virginia, the child of the brain

of a Virginia statesman. But William and Mary was the chief Virginia college in the eighteenth century. It helped to make the men who helped to make the great revolution.

I have been, I confess, a little surprised to find that Dartmouth has not educated a greater number of distinguished lawyers. It is commonly understood that the training given at this college is specially promotive of legal power and legal discipline. The names of Rufus Choate and Daniel Webster occur. And yet Dartmouth has educated only three more distinguished lawyers than Brown, and fewer than Harvard or Columbia or Princeton or Yale; only seven more than Union, only six more than the University of Pennsylvania. But Dartmouth has trained a greater number of educators than Brown, as forty-four is greater than twenty-seven. It may be that the cause of this lies in the fact that Dartmouth has been a country college, attended by country boys. Country boys are poor in college and poor before college and poor after college. The ready-made method of relieving the straits of poverty in college and after college is teaching; and when one has once gone into teaching, it is easy to stay.

It is noted that Williams has furnished eleven distinguished physicians and the University of Pennsylvania thirty-four. The explanation of such a difference lies probably in the fact that Philadelphia, the site of the University, above every other place in America is distinguished for its Medical Schools. The University of Pennsylvania itself is probably more distinguished by reason of its School of Medicine than by its School of Arts. Therefore it is not unnatural for the graduates of the School of Arts to enter the College of Medicine. No such condition obtains at Williams. And it may be remarked in general that differences of condition are a chief element in explaining these differences of results. It is also possible that these figures may warrant the remark that wherever a college is found in which there is one man of special strength, the graduates naturally turn toward that profession or work in which this strength is of peculiar worth.

I have been interested to find whether it is to the larger or to the smaller colleges that we are to look for the greater proportion of distinguished men. I am obliged to say that apparently it is to the larger. Let me give some figures. They are taken usually at random. Of the graduates of the University of Vermont three per cent have won the cyclopædic distinction; of Hobart, four per cent; Rochester, two per cent; Dickinson, three per cent; Rutgers, two

per cent; Bowdoin, four per cent; Washington and Jefferson, two per cent; Marietta, three per cent; Middlebury, four per cent; Union, one per cent; Columbia, six per cent; Yale, six per cent; Harvard, seven per cent. I have not much confidence in these figures, yet possibly they may have some value. The chief editors of this Cyclopædia, by the way, are James Grant Wilson of New York, and John Fiske of Cambridge. It would naturally be expected that men whose association is with the colleges in New York and Cambridge would know more of the work of the graduates of these institutions than they would of the graduates of the University of Vermont or of Washington and Jefferson College. But if our percentages have any value at all they do show that on the whole the advantage lies with the large college. It may be said that the large college would naturally attract the men of best ability. Yet the large college has many disadvantages; it cannot train character as a small college can.

It therefore does not seem too much to say that the American college has profoundly influenced American life. It has not been the mother of great movements, like Oxford, but it has been the mother of great men, like Cambridge. It has not made great soldiers or sailors, great artists or inventors; but it has contributed vastly toward the worth of the more considerable elements of thought and character. It has not created poets, but it has enlarged the vision of the poet and sweetened his song. It has not created historians, but it has given to the writer of history a subject, taught him to investigate, to weigh evidence, to write with power. If its influence has not touched certain eminent preachers, it has added to the knowledge and disciplined the powers of thousands of clergymen. It has brought and is daily bringing a larger offering to the editorial desk, the lawyer's office, the medical clinic. It is significant that we call the college not *almus pater* but *alma mater*. She gives to us intellectual life and cradles that life in its first feebleness. It is almost as rare to find a son complaining of his college as it is to find him complaining of his first home. Happy the man who has two mothers whom he reverences! Old President Quincy of Harvard said that a man got a good deal out of college if he just rubbed his shoulders against the college buildings. But he certainly does not get much in this way in comparison with what he gets by rubbing his head against the cases in the library. For to the true man of alert intellect, pure heart, and strong will, the college represents a new birth and a new life.

CHARLES F. THWING.

OUR PUBLIC SCHOOL SYSTEM: A SUMMARY.

IN my previous articles, I have endeavored to prove that the development of good schools depends upon the observance of a number of fundamental laws of school government, and that the school evils increase in the proportion in which these laws are ignored. My principal object in following the plan of discussing our schools by cities has been to show by what concrete examples I had been led to appreciate the fundamental character of these laws, so that what has been said in criticism of the schools of individual cities, of methods to be avoided as well as those to be prized, may be regarded as matters incidental to the main issue. As these laws are applicable to the schools of all our cities, my articles, although they have touched upon the schools of only a few cities, may serve as guides to the diagnosis of the standard of the school system of any locality, the causes of the standard, whether high or low, and the remedies suitable to each particular instance.

With the desire to do the best to prove my cause in a reasonable number of articles, I found it necessary to limit the discussions almost entirely to the schools of those cities that represent the extremes in regard to their general character. And, having presented a good proportion of the most striking of the facts I have collected, I feel obliged to close my argument without discussing in detail all the schools that I have investigated.

The present article, the last of the series, will be devoted to a general summary, which will consist principally of a classification of the schools of the various localities according to their degree of excellence. Such a classification will serve a double purpose. It will enable me, first, to show, perhaps more clearly than I have done heretofore, the essential points of difference between the progressive and the non-progressive schools; and, secondly, to give to those interested my opinion concerning the standard of the schools of a number of cities that I have visited but that I have not had the opportunity to discuss in detail.

Before entering upon the classification of the schools, I shall state

briefly once more the laws of school government to which I have referred. These are three in number:

First. The school system must be absolutely divorced from politics in every sense of the word, in order that the members of the Board of Education may be free in all their official acts, to do what in their opinion will best serve the interests of the child. In the same proportion as the members of the Board allow partisanship or selfishness of whatever nature to influence their actions, particularly in regard to the appointment and discharge of superintendents and teachers, the evils are found to accumulate.

Secondly. The supervision of the schools must be thorough. By thorough supervision, I understand that form the direct aim of which is to increase the professional strength of the teachers. The supervision is ideal when the superintendent and his assistants are able educators who devote their time primarily to educating the teachers in their charge, both by pursuing with them in teachers' meetings the study of educational methods and principles, and by aiding them in the class-room in the practical application of the theories discussed at the meetings. Supervision that aims simply to secure results by a periodical examination of classes is, in my opinion, productive of as much if not more harm than good, as it is destined to convert both teachers and pupils into automata.

The third law is implied in the second. It is, namely, that in order that the schools may advance, the teachers must constantly endeavor to grow both in professional and in general intellectual strength. As my articles have shown, by far the most progress has been made in those cities where the teachers are themselves the most earnest students. In whatever light we may regard the matter, it is after all the teacher that makes the school. My reasons for laying so much stress upon the necessity for securing good school boards and efficient supervision, have not been that I have lost sight of the fact that the teacher is the most important element, but that I recognize this fact so well. While the teacher makes the school, the superintendent in large part makes the teacher. And, as the power to appoint both superintendent and teacher in the vast majority of instances lies in the hands of the Board of Education, this body is ultimately the strongest factor in making or destroying the schools.

With a knowledge of these laws, the remedies for school evils suggest themselves. Generally speaking, it may be said that one-half the work of placing the schools of any locality upon a healthful

foundation has been accomplished when the members of the Board of Education become endowed with the desire to improve the schools, a desire which, however, must be sufficiently strong to lead them to lay aside all selfishness, while legislating for the children entrusted to their care. The remaining half is done when the Board appoints a superintendent competent to undertake the task and sufficiently energetic to do all that is required of him, provided, however, that a sufficient amount of independent power is given to him to enable him to improve the schools in any manner that may to him seem fit. The Board must give the superintendent the right to select his teachers, retaining in their own hands not more than a veto power, and they must, in addition, give him an ample number of able assistants. However flagrant the evils in the schools of any city may be, the institutions are not beyond hope. Under a conscientious Board and an able staff of superintendents, the striking evils may, in a comparatively short time, be to a considerable extent eradicated. If parents would but take sufficient interest in the welfare of their children to insist upon securing conscientious boards as well as able superintendents, all the leading educational abuses would soon cease to exist. Until they take an active part in securing them, they must be considered, at least morally, guilty of criminal negligence.

Now as to the classification of our schools. Although the schools of no two of our cities are exactly alike, those of each city presenting certain features peculiarly their own, nevertheless when we judge them by their general degree of excellence, it is possible to divide them into a number of more or less clearly defined classes. In quite a number of cities, the schools have advanced so little that they may be regarded as representing a stage of civilization before the age of steam and electricity. In other cities, we find schools that are just awakening to the fact that progress has been made in the spiritual as well as in the physical world, and in still others we find schools that have already advanced considerably along the line of progress.

My classification, however, applies more fully to the primary than it does to the grammar grades, as in the different cities the former vary much more markedly than the latter. Indeed, the extreme differences in the grammar-schools are to a large extent differences only in degree, while the differences between our best and our poorest primary-schools are actually differences in kind. The reasons for this are:

First. In all grammar schools at least some subjects—for ex-

ample, geography and history—are taught for the purpose of giving the pupils ideas, the principal difference between the schools lying in the manner in which the ideas are presented. On the other hand, in our poorest primary-schools, the work is practically all formal, the pupils learning mechanically to read, write and cipher without acquiring any new ideas, while in our best primary-schools the backbone of the work from the start is thought-work, the pupils learning to read, write and cipher in large part incidentally while engaged in the acquisition of ideas.

Secondly. The extremes are not so great in the grammar as they are in the primary grades, because the standard of our best grammar-schools is not yet so high as that of our best primary-schools. This is not difficult to explain. While the task of the primary-school teacher who endeavors to instruct on scientific principles is an extremely difficult one, that of the grammar-school teacher is so much more difficult that, under existing circumstances, it is practically impossible for her to do her work properly. It is less difficult to teach scientifically in the primary than it is in the grammar grades, for the reason that in the primary grades the subject-matter is comparatively simple, a fact that enables the primary teacher to concentrate her mind almost entirely on the methods of teaching, while the grammar-school teacher must be conversant not only with the methods of teaching but also with a large amount of subject-matter. Therefore, the successful grammar-school teacher must necessarily possess a much wider range of general information than the primary-school teacher. And, with each succeeding grade, the subject-matter becomes more complicated. Further, no lesson is of much value unless it has been thoroughly prepared by the teacher, and it is simply impossible for any teacher to prepare thoroughly five or six lessons in a single evening. Before our grammar-schools can attain the level of our best primary-schools, it will, in my opinion, be absolutely necessary to divide the work in such a way that no single grammar-school teacher shall instruct in more than a few subjects. In other words, our grammar-schools will not materially improve until at least a limited departmental system is introduced.

The number of classes into which our schools can be divided is, in my opinion, three. They are as follows:

In the first class, I place those schools that are still conducted on the antiquated notion that the function of the school consists primarily in crowding into the memory of the child a certain number

of cut-and-dried facts, ignoring the modern view that the aim of the school should be to develop the child in all his faculties, intellectual, moral and physical. These schools consequently represent education as it was before the time of the great educators, when a science of education was unknown. In schools of this order, the teachers are required to do nothing beyond securing certain *memoriter* results. As such results can be obtained by any one who is able to read, write and cipher, provided he is a good disciplinarian, it is only in the class-rooms of those teachers who are sufficiently interested in their work to do more than is required of them that we find any evidence of the existence of a science of education. And, further, as in these schools the manner in which the growing mind acquires ideas is a mere side issue, the teacher makes no attempt to study the needs of the child and, consequently, no bond of sympathy forms between the pupil and the teacher, the attitude of the teacher toward the child being as a rule cold and unsympathetic, and at times actually cruel and barbarous. And as the mental food is given in the most indigestible and unpalatable form, learning is devoid of all pleasure, the school becomes a source of drudgery and childhood is robbed of its happiness.

But why do schools so thoroughly mechanical still exist in an enlightened age and in a country so progressive as ours? It is frequently claimed that the old education is more practical than the new, but this assertion is made in ignorance of facts. Indeed facts prove that more is accomplished in a given period by scientific than by mechanical teaching. And, further, that system of education that leads the child to observe and to think and to acquire manual dexterity while memorizing facts, is certainly more practical than the education whose aim is limited to leading the pupils simply to memorize facts. Again, it is claimed that in some localities the old system better answers the needs of the people than the new, and that the system of education must be regulated according to the needs of the individual community. In that case, the old system of education is applicable only to those communities where there is no necessity for the people either to observe or to reason. But where can such a community be found?

Again, we all know that in many of our cities the pupils will never receive more than three or four years of schooling, and we all agree that no pains should be spared to give such children at least some knowledge of the three R's before they begin their struggle for

existence. But, as I have pointed out in previous articles, even in this the advocates of the mechanical reading, writing and arithmetic schools have no foundation upon which to base their argument. The children educated in our most scientific schools are much further advanced in reading and in the power to express their thoughts in writing at the end of the third school year than those brought up under a mechanical system, and they cipher at least as well.

It is not, therefore, because the old system of education is more practical than the new, or because it better answers the needs of the people, or because it accomplishes more in a given period, that in so many of our cities the science of education is ignored. The real causes for the existence of these miserable schools at the present stage of civilization are corruption and selfishness on the part of school officials, and unjustifiable ignorance, as well as criminal negligence, on the part of parents. It is in the cities where the school-board appoints such superintendents as will make able tools and fails to re-elect them when they are conscientious, in cities where it is not merit but friendship, business or politics that determines the appointment and discharge of teachers, in cities where the parents sit idly by while the members of the school-board use their children for selfish purposes, and with few exceptions in such cities only, that the science of education finds no room in the schools. In a few instances, the antiquated system of education appears to be entirely the result of misdirected and incompetent supervision. When the superintendents fail to instruct and inspire their teachers, or are unable to recognize the difference between scientific and unscientific instruction, the schools are, as a rule, mechanical. In these cases, the teachers are permitted, either through ignorance or carelessness, to fall into ruts out of which they never rise. To divorce the schools from politics does not in itself mean to raise the standard of the schools, but simply to remove the pressure from them so that it becomes possible for them to advance. When the schools are no longer under the baneful influence of politics, they will become, in nearly every instance, no more and no less than the superintendents make of them. A feature common to all the schools of the first class is that far too little, if anything, is done by the superintendents to inspire and instruct the teachers in their charge. In nearly all of them, the number of superintendents is too small, more than two hundred teachers being placed in charge of a supervising officer.

Among the schools of this order that I visited are those of Baltimore, Buffalo, Cincinnati, New York, Worcester, Mass., Milwaukee, St. Louis, Chicago, the Boston primary schools, and a few others. In Peoria, Ill., I visited only three schools. In one of them I found the spirit good. The other two, however, were distinctly of this order, the discipline being similar to that found in the schools of St. Louis, which, in my opinion, are the most barbarous schools in the country. In Brooklyn, the conditions are decidedly unfavorable, and, although I have not examined them closely, I feel at liberty, from what I have seen and heard of them, to inform those interested in the schools of that city that I have every reason to believe that they also belong to this class. Although the schools of the cities I have just mentioned differ to a considerable extent in regard to details, they do not vary much, in my opinion, in their general excellence. In all of them the vast majority of the teachers lack in professional spirit, and the instruction, regardless of subject, is, in the main, purely mechanical. The particular causes leading to the unfavorable condition of nearly all these schools, I have stated at length in previous articles.

The schools of the second class differ widely from those of the first in regard to their aim. While the aim of the first class of schools is simply to give the child a certain amount of information, that of the second class is the natural development of the child in all his faculties. In these schools the teachers are guided in their work by the nature of the child-mind, that is, by the laws of mental development. Consequently, it is not the text-books or the arbitrary will of the superintendent, but the laws of psychology that now become the ruling spirit of the schools. In thus reversing the order of things, the atmosphere of the school-room becomes entirely transformed. The teacher who endeavors to instruct in accordance with the nature of the mind is of necessity compelled to study the child, so that she may understand him and know how to minister to his needs. In this manner a true bond of sympathy forms between the teacher and the child. The attitude of the teacher now changes from that of lord and master to that of friend and guide. She is no longer cold and harsh, but loving and sympathetic, and the atmosphere of the school-room consequently changes from that of a prison or a factory to that of a refined and refining home. In schools of this nature the happiness of childhood is preserved, not only because the child is treated with kindness and consideration, but also because the

work is interesting and, therefore, pleasurable. Further, while in the first class of schools the recitation-periods are devoted principally to hearing children recite lessons that they have studied by heart from text-books, in the second class such lesson-hearing is not tolerated, the teacher being obliged at least to attempt to devote these periods to actual teaching. In these schools, education is regarded as a science, and the teacher is in search of such light as will guide her in giving the child the benefit of progress. We find widely distributed among the teachers a truly progressive spirit, much enthusiasm and a desire to learn. In almost all instances the teachers of such schools constantly pursue professional studies under the guidance of the superintendent. And, lastly, owing to the fact that the child is treated with sympathy and the fact that the atmosphere of the school-room is charged with refining influence, it can scarcely be doubted that these schools exert unconsciously a favorable influence on the moral character of the child, a phase that is absolutely lacking in the first class of schools.

The typical schools of this class also vary considerably in regard to the details of the work, but, in my opinion, when considered in their totality, they do not vary to any appreciable extent in their general degree of excellence. They are all characterized by the fact that the efforts of the superintendents are directed primarily toward inspiring and instructing the teachers, mere school-inspection and the examination of classes being considered of only secondary importance. In all of them the spirit is excellent. These schools, however, have certain weak points which I shall mention while discussing the schools of the third class.

The schools that, in my opinion, are distinctively of this type are those of Washington, D. C., Yonkers, N. Y., Springfield, Mass., Jackson and Ionia, Mich., Quincy and Brookline, Mass., and others. In the schools of Washington, D. C., there is a complete system of manual training that does not skip a link from the kindergarten to the highest class of the high-school, and many of the features of this work are excellent. In Quincy and in Brookline, Mass., more has been done with the natural sciences than in the other schools of this class. In Springfield, the primary arithmetic is very interesting and thoughtful, and throughout the schools a feature has been made of the scientific teaching of geography. The schools of Ionia, Mich., are peculiar in so far as they are conducted on the departmental plan, each teacher instructing the children in only one subject. In

Yonkers, N. Y., and in Jackson, Mich., I found the spirit excellent and the teachers earnest, but the curriculum rather narrow.

The schools that I have just mentioned have reached a distinctive stamp of a comparatively high order for the reason that they have been for some time laboring under very favorable conditions. They have for a number of years been well supervised and in large part free from politics. In a large number of the cities that I visited, I found the schools striving to break away from the old-fashioned methods and to accomplish what the typical schools of the second class have already accomplished. They have, however, for numerous reasons not yet reached the standard of the schools of the second class, being still in a transitional stage.

In Philadelphia, for example, the superintendents have for many years been endeavoring to raise the standard of the schools, but their efforts have as yet met with but little success because the schools are practically controlled by ward politicians who are doing all in their power to use the schools for their own selfish ends. The schools of Cleveland, Ohio, were in former years in good condition, but have since been ruined by the politicians. Last year a complete reorganization of the school-system of Cleveland was effected. It is not improbable that under Judge A. S. Draper, who was appointed their superintendent a short time ago, these schools will regain their former glory. The schools of Detroit appear to be laboring under the same difficulties as those of Cleveland. Detroit's training-school for teachers, however, appeared to me to be an excellent school. The schools of Davenport, Iowa, may be said to have crystallized on a lower plane than that of the typical schools of the second class. While in Davenport the methods are not entirely unscientific, the pupils are treated with undue rigidity and the spirit is not good. These schools appear to be suffering from a degree of conservatism that is altogether out of harmony with the progressive spirit of the West. Next, there are a number of cities whose schools, owing to the excellence of recently-appointed superintendents, are destined soon to reach a much higher than their present standard. Among these are the schools of Des Moines, Iowa, Lansing, Mich., and Moline, Ill. The spirit in these schools is excellent, and more scientific methods will be sure to follow. The schools of some cities never reach a distinctive character, for the reason that they are constantly changing their superintendents.

Besides the cities I have named, I visited a number that I do not

feel at liberty to classify, because I did not follow them in all their lines of work. I was attracted to some of them with the object of observing special lines of work, and to others in the hope that I might succeed in finding hidden treasures. I visited Toronto, Canada, for the purpose of observing the reading, of which I had heard so much. Mr. Hughes, Inspector (Superintendent) of schools of that city, has given much attention to phonics. The results in reading, as well as in penmanship in the lower primary grades, are indeed remarkable. I found many of the children at the end of the fourth or fifth month of school-life able to read almost any new word without assistance, and to write from dictation, correctly and very rapidly, even words of several syllables. The penmanship of many of these little children is as good as that of the average adult. In Toronto the cheerfulness of the class-rooms is almost without a parallel.

The schools of the third class are, in spirit, similar to those of the second class, but they differ from them so considerably in their methods of instruction, and particularly in those followed in the primary grades, that they may, in my opinion, be regarded as having reached a higher stage of development. The difference is this, namely, that although in the second class of schools an attempt is made to teach scientifically, yet each branch of knowledge is still taught in large part independently, while in the third class of schools the walls between the various branches, to a considerable extent, disappear, an attempt being made to teach the subjects in their natural relations to each other. In the latter class of schools, the mind is no longer regarded as consisting of a number of independent compartments, one for penmanship, a second for reading, a third for arithmetic, a fourth for geography, etc., but the ideas gained regardless of subject are led to support each other, and they become clearer by being seen in the light of each other. In other words, the schools of the third class are characterized by the fact that they are conducted upon what is known as the principle of Unification. While in most of our schools several hours are devoted daily to the independent study of language in its various phases, namely, reading, penmanship, spelling and composition, in the schools conducted upon the principle of unification, language is regarded simply as a means of expression and not as a thing apart from ideas. Instruction in almost every branch now partakes of the nature of a language-lesson, the child being led to learn the various phases of language in large part incidentally, while acquiring and expressing ideas. From the

start an attempt is made to devote most of the time either to gaining ideas or to rendering ideas more clear by expressing them in written language as well as with the pencil, the brush and other tools.

As I have stated in previous articles, the pupils in such schools read for the purpose of gaining thoughts, but while gaining ideas from the written or the printed page they are learning how to read. They write for the purpose of rendering more clear the ideas gained during the lessons in science, geography, history and literature, but while thus rendering their ideas more clear, they learn spelling, penmanship, the construction of sentences and how to write compositions. The immediate use of these departments of language being thus seen by the child, even spelling and penmanship become interesting and lose their purely mechanical nature, and school life is, from the beginning, made fascinating. And strange as it may seem, it is nevertheless true that the results in language are, at least in the primary grades, by far the best in those schools where language is taught incidentally, and poorest in the schools that devote most time to its mechanical study.

The difference between the schools of the second and those of the third class is, however, much more marked in the primary than it is in the grammar grades, for the reason that unification has to a certain extent been carried out in the better grammar-schools of all of our cities, while in the grammar grades of the third class of schools it has not yet reached a stage of development as high as that attained in the primary grades of this class of schools. It is not peculiar to the grammar grades of the third class of schools that the pupils are directed to write compositions on the subjects they have studied, or to combine history with geography, drawing with botany, and so on. This is common to the best grammar-schools of nearly all our cities. The grammar-schools of the second class, in particular, do not vary much from those of the third class.

In the primary grades, however, the difference between the schools of the second and those of the third class is very marked. Although in the schools of the second class reading is to a certain extent made interesting and arithmetic is taught thoughtfully, nevertheless the energies of the teacher are concentrated mainly on teaching the child to read and to cipher, little being done to lead him to acquire ideas. In the schools of the second class, therefore, the work still centres largely around words and figures. In the third class of schools, however, the work from the beginning centres almost entirely around

ideas. Further, when the pupils are led immediately after entering school to acquire ideas, an opportunity is given to render the busy-work thoughtful and interesting. In the character of the busy-work, the schools of the third are vastly superior to those of the second class. When we consider that at least one-third of the school day is devoted in the lower grades to busy-work, the latter forms an element in school-life the importance of which cannot be overestimated. In the schools of the second class the busy-work consists in part of work that is laborious and uninteresting, such as the mechanical copying of words and figures, and in part of kindergarten games that for children of the school age have little if any educational value. In a word, the busy-work of the second class of schools is either mechanical or scrappy, and does little for the child beyond keeping him out of mischief while the teacher is engaged in instructing the pupils of another section. In the third class of schools, on the other hand, nearly all the busy-work is organically connected with the ideas acquired by the child during the recitation periods. The pupils, instead of copying mechanically words and figures from the blackboard, now devote their time principally to expressing their thoughts in writing. They reproduce stories and write out the results of their observations, and they illustrate their compositions with the pencil and with colors. Consequently, the primary schools of the third class are much more interesting to the child, they are much more endowed with life and they are far more educational than those of the second class.

Among the thirty-six cities that I visited, I found only four whose schools were conducted upon the principle of unification. I have described them all more or less in detail in previous articles. These cities are Indianapolis, Minneapolis, St. Paul and La Porte, Indiana. I found this principle carried out, however, in several of the normal schools that I visited. The schools of Indianapolis, Minneapolis and La Porte have long been free from politics, and in all these cities the Superintendents have, for a number of years, been doing much toward instructing and inspiring their teachers. In St. Paul, on the other hand, the conditions for the development of good schools have only recently become favorable, so that they are not yet entirely free from the relics of an antiquated system. At present, however, the school-system is free from politics and the Superintendents are laboring with so much energy that the schools are advancing at a very rapid pace. I have recently learned that the

politicians are again endeavoring to obtain a grasp upon these schools. If this be true, it is to be hoped that the citizens of St. Paul, in justice to their children, will do their utmost to prevent them from doing so. I may here add that I found the grammar-schools of Boston to be among the best in the country.

It might be supposed that it is impossible to form a correct judgment of the standard of the schools of so many cities during the course of five and a half months. This, however, is not the case, for the reason that after the schools of a number of cities have been visited the various types of schools become clearly fixed in the mind, and when they have once become fixed the diagnosis of the standard of the schools subsequently visited can be readily made. When one has gained a considerable amount of experience in investigating schools, much can be learned of the school-system of any city during fifteen minutes spent in the A B C class of almost any school visited at random. The appearance of the room, the attitude of the teacher toward the child, the manner in which she conducts a recitation, the character of the busy-work, and the answers to a dozen questions put to the teacher concerning the general scope of her work, the meetings she attends as well as what she does to improve her own mind, will frequently suffice to give a key to the whole situation. The difference between a typical school of the first class, on the one hand, and a typical school of the second or the third class, on the other, is as great as the difference between a factory and a laboratory.

Again, although the general appearance of the room and the attitude of the teachers toward the children are in the schools of the second class similar to those of the third class, nevertheless the difference between the primary methods are so striking as to make them unmistakable. Although Indianapolis was the twenty-third city that I visited on my tour, I discovered in the first class-room entered that the schools of that city had reached a higher stage of development than any that I had previously investigated. Before visiting the schools of Indianapolis, my attention had never been called to their excellence, and the first school that I saw was one to which I had been directed by the porter as being the most convenient to reach from the hotel. In nearly every city later visits served simply to confirm the judgment I had formed on investigating the first school.

During my tour, it was my custom, however, to exercise particular care to guard against condemning the school-system of a city when, in the first school visited, I was led to believe that it was

conducted on a purely mechanical basis. In such cities, I always visited enough schools to see at least thirty or thirty-five teachers at work. The number of schools that I studied in these cities was usually from six to eight and in some cases more. If on observing the work of some thirty or thirty-five teachers I found that the methods of from ninety-five to one hundred per cent of them were entirely unscientific, I felt that I had not formed a hasty conclusion.

In my opinion, however, one would not go very far wrong in condemning the school-system of any city after visiting only one school-building, provided that the teaching throughout this building were exceedingly poor. It is only in cities where the conditions are extremely unfavorable that a school-building can be found in which all, or even the majority of the teachers, conduct sing-song recitations in spelling and arithmetic, hear children recite lessons verbatim from a text-book, or conduct concert recitations in geography. I found that in every city where one such school was tolerated, many similar ones existed. One is liable to find in any city a teacher here and there who follows such methods of instruction, but in none of the typical schools of the second or the third class, as above given, can a single school-building be found in which several of the teachers instruct in that manner. And further, in these classes of schools, such methods are never tolerated for any length of time after they have been detected, the teacher who follows them being obliged either to abandon them or to forfeit her position. But, on the other hand, the school system of a city *cannot* be judged after visiting a single school-building, if that school happen to be a good one, for the reason that even under the most unfavorable conditions some teachers may be found who are sufficiently interested in their work to do more than is required of them, and who consequently succeed in developing good schools. A school-system must be judged, not by how much particularly energetic teachers are of their own accord willing to do, but by what the teachers are required to do in order that they may retain their positions.

While it is not difficult to discover to which of the three broad classes the schools of any one city belong, it is not so easy to make the finer distinctions, that is, to judge of the difference in the degree of excellence of the typical schools of a particular class. Such distinctions can be made only by a large number of tests in many directions. As such fine distinctions were, however, beyond the scope of the present work, I decided to defer them to some future time.

In this closing article I have shown that my general impression of our elementary schools is not so unfavorable as might have been inferred from my earlier articles. That I may have conveyed a more pessimistic view of the situation than I actually possess is owing entirely to force of circumstances, and not to any desire on my part to do so. It was because I deemed it my duty to direct the attention of the public primarily to those children who are most grievously wronged, and consequently to the schools most urgently in need of reform, that I was led to devote so much space to the discussion of such schools as are a disgrace to an enlightened nation.

As I have pointed out in the present article, the general educational spirit of the country is progressive, the schools of a large number of our cities now laboring in the right direction. But we must never forget that in the United States each community conducts its schools independently, so that the favorable condition of the schools of one locality reflects absolutely no credit on those who manage the schools of another locality. In closing, I will once more call attention to the fact that it is the duty of the public to lend all possible encouragement to those who are striving in the right direction. On the other hand, it is the duty of all parents, to take active steps toward crushing school officials who have fallen so low as to sell, for their own profit, not only the happiness of the little ones entrusted to their care while in the school, but also their opportunity to become developed into sound men and women, intellectually, morally and physically.

J. M. RICE.

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